1 (74)

Submitted to the 2d Councillor - [illegible]
22-8-95

I want a regular synopsis of the 8 opinions - I would have every rule written on one page - & the Dewan's remarks about that rule under it. Let this be done on the left hand page - On the right hand page I would have these opinions written one after another against - or in juxta position with that rule - I want this to be done, & the papers resubmitted as early as possible

[illegible]
17.3.96

Kd
Taken for case [illegible] [illegible]
20/3

Submitted with a synopsis [illegible]
21/[illegible]

2

(75)

Subd to Secty
[illegible]
12/5/96

Subd [illegible]
15-5-96

Please see remarks
on the synopsis.
[illegible]
2.9.97.

1894-95
(L.R.)

File No. 5030
Serial No. 1-31

Sub:- Rules regarding the ~~re~~ remunerations of Patels and Shanbhogues.

R7 68-94.

G. R. S. IX-5]

Previous references.

L R 14 of 1865

1394-95

191

(L. R.)

File No. 56

Serial Nos. 1-31

Later references.

L R 574 - 21 (1+2)

LR 214-15 (1-4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-31

~~Part~~ B for August 1900

SUBJECT.

Rules regarding the remuneration Patels & Shanbhogues.

Confidential

Ordered

3 Please see the sixty-eighth in the letter below

Reference:—
Letter No. 426/360 of 28th Oct. 96 from the Dy. Commr., Shimoga District.

Subject. Attachment by the Sagar Munsiff's Court of the Potgi due to a Patel.

Office Note

Submitted with a copy of the Civil Procedure Code Section 266 of which as amended by section 27 of Regulation VII of 1892 provides for the exemption from attachment and sale by Civil Courts of the following among others:—

× × ×

(h) The salary of a Public Officer or of any servant of a Railway Company or local authority to the extent of—

(1) the whole of the salary where the salary does not exceed twenty Rupees monthly.

× × ×

(M). Any allowance declared by any law passed by the Government of Mysore to be exempt from liability to attachment or sale in execution of a decree. (New.)

× × ×

2. As in the present case, the Patel is a public

Servant and as the
Emoluments attached to
his Office cannot be
anything but Salary or
allowance within the
meaning of Section 266 of
the Civil Procedure Code,
and as, under clause (d)
para 5 of Rule XLVII of the
Revenue Rules which has
the force of Law, the Emoluments
attached to Village Officers
are not liable to attachment
or other processes in satisfaction
of Judicial decrees, the
Curnum should, as already
submitted, have obtained
permission to file a petition
objecting to the warrant
of attachment issued by
the Munsiff. But as this
was not done, it is a point
for consideration as to
how the money already

of the Civil Pro Code. This carries the exemption much farther than clauses ~~(a)~~ & (1, 2 & 3) of h under which 20 Rs salary is not attachable, 20 Rs when the pay is 40 Rs or less, & half when above. Supposing in this case that the Patel's emoluments were more than 20 or 40 Rs a month could it be contended that this clause did not apply & the whole was to be exempted under the Revenue Rule - The answer is not very clear. The Police Rules wrong minded. salary the same use the word ~~Police~~ salary as has been used in the Civil ~~Code~~ Procedure Code. & I do not think that it can be contended that a Patel is not a Public Officer altho in the Rev Code he is called a Revenue Officer - The declaration in the Revenue Rule above noticed is not covered by the Police Rules, nor is it coextensive with the provision in the Civil Procedure Code - The question is whether a declaration of the kind in a subsidiary rule is sufficient to supplement or destroy the effect of a clear statutory provision. I confess I am not very clear on the point - If the ~~Patel's~~ village officer's remuneration is more than 20 Rs a month I think it is rather difficult to obtain exemption from attachment by order of a Civil Court. The proper

course seems to me to be to ca[ncel]
our Revenue Rule altoge[ther]
or so modify it as to bring it in u[nison]
with the Civil Procedure Code - [The]
protection afforded by which is
ample in the case of our villa[ge]
officers as of any other officers. [If]
we must take legislative act[ion]
to place the exemption on a m[ore]
binding basis, but this poli[cy]
appears to me to be questionable.

6. The party ought to have claim[ed]
exemption under the Civil Proc[edure]
Code in this instance & as he omi[tted]
to do so I do not see why we s[hould]
take it upon ourselves to take
any action in this matter - afte[r]
all the order of the Civil Court affect[s]
only one year's payment & does
not affect the ring.

(Intd) P.N.K.
1/2/97

To Dewan

Submitted to the Dewan
(Intd) C.S.
2-2-97

7. In a case of this
kind a vision legislation
& attachment can

paid to the judgement creditor through the Court could now be recovered from him.

3. It may however be submitted that the Amendment of Section 266, relating to clause (ll) allowance came into force only on the 1st day of April 1893, while the Munsiff's order of attachment was passed two years before, viz February 1891.

Submitted for orders

(Initd) [illegible] 7/12/96 (Initd) [illegible] 8/12/96

Submd to Secy [illegible] 8/12/96 (Initd)

4. Nothing can be done in this case. As to the general question raised, there can now be no doubt that the Civil Procedure Code exempts such

6.

emoluments from attachment. The Dy Commr may be informed accy

Subd. Bd of Rev

Recd 6 Pm.
9/12/96.

(Initials) S.
9—12—96

5.

XLIII 5(d) It is a pity that the opportunity for a judl decision on the point was missed. x Revenue on the point

The rule must be supposed to have been framed under clause N of Sn 233 of the Rev Code, the declaration about the oorigin being exempt from civil court attachment must be construed to be made "for the guidance of all persons in matters connected with the enforcement of this Regn" & if this view is correct the rule will have force of law under Sn 234 of the L. Rev Regn & would be binding on civil courts under clause M of Sn 266

is as follows:—

"Watan assigned as the "remuneration of the officiator "and its profits cannot be "attached by Civil Courts. "Where this is done by ~~[illegible]~~ "~~[illegible]~~ inadvertently "the Collector can cause the "removal of the process".

The Collector further quotes the following from Ruling no. 18 of the annotated edition of the Govt. Rulings, by Raosaheb A. S. Phadnis, Subjudge, Bijapur:— 7

"The official remuneration "of the officiating hereditary "officer is not liable to "Civil Process so long as it "is in the hands of the "Collector or other disbursing "officer, but as soon as it "is in the hands of the hereditary "officer himself, it is deprived "of any special protection".

13. Section 13 of the Bombay

+Act, as therein worded, reads as follows:—

"Watan property assigned as remuneration of an officiator under Sec: 23 of this Act and the profits of such watan property are not liable to process of any Civil Court."

"On receipt of a certificate under the hand and seal of Collector to the effect that said property designated therein, is Watan property so assigned, the ~~£~~ Courts shall remove any attachment or other process placed on, or set aside any sale of or affecting, such property or the profits thereof".

"Wattan property" means the moveable or immovable property held, acquired, or assigned for providing remuneration for the performance of the duty appertaining to an Hereditary

× Printed in Govt. Pro: No. 6609-17 of 11-10-

9

Ready to be put to file -
we may ascertain
what the Bombay Rule
is regarding Cash
Remuneration &
do needful to

AM &c. & Cvy. 6

At. Orly K.S.
(Intd)
13 12 97

Before the ... of ... or ... done, send to the ... Supdt.
R.S.G.S.
17-12-97

17/12/97

Drafted.
17/12

Submitted.

8. In his docket No 4258 4th January 1897, the Supdt. Revenue Survey says, that in Bombay the cash remuneration of the Patels & Shanbhogs is not liable to attachment in satisfaction of Civil decrees & that he believes that the pay of the other Village Servants if over Rs 20 is liable to attachment as in the case of ordinary Govt Servants.

(Intd) [illegible] 8/1/98 (Intd) [illegible] 10/1/98

Seen Govt (?) (Intd) [illegible] 11-1-98

R07 [illegible]
11.1.98.

9. The S. Supdt does not quote any rule above. Is this provision to be found in the Watandars act. Ask the S. Supdt to find out this information
(Intd) D.N.K. [illegible]
16.1.98

[illegible]

18/1/98.

10.
[illegible]
In reply to the enquiry made as above the Survey Supdt states that his first report has turned out to be incorrect. That he does not imagine there are any rules on the subject in Bombay & that if so desired he will write to the Collector of Dharwar [illegible] 12-2-98

R07 [illegible]
11.2.98.

11. Yes please Ask the S. Supdt to obtain accurate information & furnish the same
(Intd) [illegible]
22.2.98

[illegible] 23/2/98

Draft sub.
23/2. [illegible]

12. As directed above, a reference was made to the Supdt of Rev Survey (vide this Office no 7947 of 25.2.98).
27.2.92
In reply, he forwards a copy of the Dharwar Collector's letter in which it is stated that Service Inam allowances are regulated by Bombay Act III of 1874, & the Rules thereunder. Section 13 of the Act as quoted by the Collector — is

15

Note Confirm...

⊗ No 10601 R-... 3 45

⊗ Paper No ...

⊗ Page 69 File No ...

...69 & 70 ...

The Superintendent of Revenue Survey having been written to as above directed, he proposes only the following alterations and modifications in the Potgi Rules of 27th October 1874:—

(1) Add the following (as foot note) to the table of Salary in Rule VIII ⊗

"The Stationery allowan "in Para 14 shall, when "there are more villages "than one, be calculated vil-"lage by village and not "on the gross revenue of the "charge".

(2) Substitute the following for Rules X ⊗ and XI which should be cancelled—

"When the total emoluments "(as found by Rules I and II) "exceed the Scale amount (as "found by Rules V and VI), "Such excess up to a limit of "Rs. 2/-, and if over Rs. 20, at "2 per cent, will be assigned "to the officiator as a personal "allowance in village having ...

...X as now exists:—
...when the difference between ...total of existing emolu-...nts (as found by Rules I & II) ...that as fixed by Rule V or ...falls short of Rs. 5/- in the ...of villages having a gross ...enue of less than Rs. 500 & ...10 in ~~the~~ case of villages ...ving a gross revenue in ...ess of Rs. 1000, this difference ...all be assigned as a per-...manent fixed allowance ...the officiator in excess of

"his Salary as fixed by Rule V or VI".

Rule XI. "When the total of existing emoluments is large, viz. when it exceeds the Salary of the officiator as fixed by Rule V or VI, 10 per cent of this excess will be assigned as a permanent fixed allowance to the officiator in excess of his Salary as fixed by Rule V or VI".

(3) Modification of Rule XV ⊕ as indicated by red ink additions:—

"The amount of quitrent fixed under these rules on the holding of each Share holder is fixed for the term of Settlement, but the total emoluments of the officiators will be revised once after ten year if necessary, and will be modified according to the Same Scale in proportion to the revenues of the village as then realized"

No gross revenue of less
"Rs 500/- up to a limit of
"and if over Rs. 50/- at 5 p
"in villages having a
"revenue of Rs. 500 but
"than Rs. 1000, and up to a
"of Rs 10 or, if over Rs. 100,
"10 per cent in villages
"a gross revenue of Rs. 10
"more".

⊕ Page 70 of Part I of File

"office. It includes a right
"to levy customary fees or
"perquisites, in money or in
"kind, whether at fixed times
or otherwise".

"It includes cash pay-
-ments in addition to the
original Watan property
made voluntarily by Govt.
and Subject periodically
to modification or with-
-drawal". 8

15 With reference to the
2d Councillor's observation
in para 5 above,
that "the Potgi Ankas use the
"word Salary the same as
"has been used in the Civil
"Procedure Code, and I do not
"think that ~~the~~ it can be
"contended that a Patel is
not a Public officer although
in the Rev: Code he is called
"a Revenue officer", it is
respectfully Submitted
that it has been held by the Bombay Govt
that "Hereditary village
officers" are not "Revenue
officers". Please see Resolution

entire field or fields into which official land may have been marked off by the Survey, and on so doing the relinquished field is immediately to be entered in the accounts as Govt. land, and the total Jodi tax now payable by the hereditary officer is to be reduced by the full amount of the Survey assessment of the relinquished fields".

The Supdt of Revenue Survey is of opinion that more modifications and alterations than the above are not required but misses the real point, viz. embodying in the Potgi rules provisions similar to those contained in the Bombay Wattandari Act, regarding the exemption from attachment of the cash remuneration of village officers —

No. 210 Dy [illegible]

Note
This is a general question pending orders vide Shimoga Dy Commis letter No 19 of 10/96 - Serial No. 19 of File No. 244 of 96.

In clause (d) of para 5 of Rule XLIII of the Revenue Rules

(5) is laid down that "all "emoluments attached to "village offices x x x "x x are not liable to "attachments or other pro-"cesses in satisfaction of "judicial decrees".

This rule is not a new one. The Notification of 9th September 1835 as well as General Cir: no 5 of 1872-73 contains & clearly explains the rules. Please see the extracts put up. The notfn: of 9th Septr. 1835 is referred to in para XXXVI of the Potgi Rules only as regards the prohibition of the alienation of service Inam lands by sale, gift &ca. The other provision regarding the non-liability to attachment &c. of the cash remuneration of village officers, is omitted in the rule. The 2d Councillor wanted the Survey Supdt. to propose rules similar to those contained in the Bombay Wattandary act referred to in para 13 above.

19

No. 2083 of 21-4-1930, of the Govt. printed below Section 3 (1) at page 3 of the Bombay L. R. Code by H. V. Sathe.

Submitted for orders to Secretary

[illegible] 26/3/98 (Initd) [illegible] 26/3/98 C.R.

[illegible] (Init) C.S. 28/3/98

[illegible] 8.3.98.

16. There is another file in which the revision of some the [illegible] rules is under discussion – With reference to that file, & with information supplied in this, the [illegible] Dept. might be asked to suggest modifications of the [illegible] rules on the bases of the exemptions contained in the [illegible] act so that all those provisions might be adopted as suggested by the Dewan

(Initd) [illegible] 28/4/98

[illegible] 29/4/98

Draft [illegible] 1/5/98

S. Page 70 of Pro. | of the
No. 60 of 94 |

J. Page 73 of Pro. of the
No. 60 of 1894 -

Existing Rules.

XVI "When the assessment of the occupied arable land (exclusive of alienations) in the year in which the Settlement of remuneration of village officers is made, exceeds five-sixths of the assessment of the entire arable land (exclusive of alienations) in any village, the gross revenue of the year will be taken for the calculation of the ~~[illegible]~~ remuneration of the officiators".

XVII "When the assessment of the arable land, specified in the preceding rule, in occupation in the year in which the ~~Settle-~~ ~~ment~~ of the village officiators is made, falls short of five-sixths of the gross assessment of all the arable land (exclusive of alienations) in the village, then five-sixths of such gross assessment shall be taken for the calculation of the remuneration of the officiators".

(4) Substitute the following for Rules XVI and XVII as directed in the Chief Commr's order No. 6154-63 / E1081 of 21.1.81.

"The assessment of the occupied Government land (plus 10 per cent of the assessment of the unoccupied assessed waste Govt. land but not thereby exceeding the gross assessment of the Govt. land of the village) in the year in which the Settlement of remuneration of village officers is made will be taken for the calculation of the remuneration of officiators".

...ries paid from the Treasury
... not levy the equivalent
...ch increase from the
...ice Inam lands. Has
... revision of Salaries been
...ted without increasing
... total payments levied
...n Service Inam lands?
... what Taluks and with
... loss to the Treasury
... each Taluk on account
... unlevied increase, justly
...able from Service Inam
...ds? I shall feel obliged
... any information Col
...nt can give me upon
... points".

I am not sure that
... interpretation put
upon the word "quit-
...ent" by Col Grant is
...rect. The rule has
...t yet been practically
...forced and acted
...on, and without
...aving the help of
...ch practical construction

The 10 year period laid down in Rule XV has not yet fallen in, in the case of any of the existing Settlements of remuneration. It is simply a question of justice whether the remuneration should or should not be revised after 10 years in each case in consideration of the increase or decrease of the revenue of the village, as the case may be. I have had some applications to have the remuneration in villages where the revenue has much increased, revised, but I have regarded individual adjustments as inexpedient. There is no difficulty however in dealing individually with exceptional cases of great increase in the revenue of any village but I think

(Note Contd)

* The Survey Commr's Suggestions contained in para 2 of his letter no. 1270 of the 12th Aug/74 might be adopted and revision of re-muneration only be taken up in villages the revenue of which has very materially increased. Say 50 per cent ←

---

founded upon practice we must be guided by the words used. This phrase occurs for the first time in this rule and there is no reason to exclude the original Jodi from what is signified by "Quit-rent". There has been, as far as I am aware, no settlement of such service Inams, of Section VIII. D of the Land Inam Rules (page 38 of the Revenue

O. No. 2626 ...

a revision once for all w
be preferable and wou
Secure uniformity.
Govt Procgs, Order No 613/R
d 21st January 1881, Par
a revision of remunera
oftener even than once
10 years was contempl
or at least suggest *

(2) Dy Commr. Bangalore
no opinion regardin
Rule (XV)

(3) Dy Commr. Kolar —
"Quit-rent" in Rule
means the "Future J
being the Sum of col
3, 5 and 7 of the table
Rule XXV. In the r
of the remuneration
and Shanbogues d
by the aforesaid ta
the increase and
of revenue are al
into consideration
decrease is expecte
exceptional cases
requires that we
fair to both part

... 1881 does not seem
have the received
sanction of the Govt
India & worked
judicially by these
servants. It seems
unfair that when
a rule has to be
worked in their favour
apprehension of
that cost [illegible] dissuade
Govt. from acting
upon the original
rule. Mr Madhava
Rao also alluded
the assets brought
in by increased cultivation
(which means increased assessment)
which therefore [illegible]
that it is time to issue
an order for revision
which is overdue
already in several
cases. This order
ought to be issued
once.

[initials] 1/9/97

gets the difference between the full Survey assessment of such additional lands, & the assessment which would have been fixed thereon, but for the absorption of the Aya or grain dues into the Survey assessment. (vide para 4 of the Chief Commr's letter to the Survey Commr. No 4127-R.134 dated 12.11.1870 and para 21 of the Chief Commr's letter to the Govt. of India No. 328-9R of 11.4.1874). An increase of work coupled with the loss of Aya on lands newly brought under the plough seems to be a sufficient justification for an increase of Salary at each revision of the Potgi Settlement. The principal was accepted long ago and a Scale of Salaries fixed on the gross revenue at so much per 100. It is now too late to resile from the position then

⊗ Please see memo no. 468 enclosure to paper no. 16.

(2)

"Rule XXIII. If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional Jodi equal to one half the profits on the above land, the profits being the difference between the Jodi payable thereon & the full survey assessment or valuation?"

taken up.

(10) I. G. of Police—⊗

"Whether at the time o… Potgi Settlement or rev… of Potagi at revision S… -ments under Rule XV, … emoluments from Unt… lands that have been f… assessed are taken int… -sideration in fixing … additional Jodi under … XXIII and XXV on land… borne on the bo.ks as… lands".

(11). Dy Commr. Kadwr.- No opinion…

(1) Survey Superintenden…

The wording of Rule XX… might certainly be cle… but its working is qui… understood in my offic… The "Jodi" in the last li… one of the Rule in queste… means, for the purpose… rule, the old Jodi rec… in the accounts in the … of remuneration sett… + the addition to that…

of a moiety of the net profit or the balance of the Survey valuation, after deducting from it the old Jodi, if any, & the new Jodi imposed to re-imburse the Treasury in paying the remuneration fixed. By the expression in Rule XXIII "the Jodi payable thereon" seems to be meant the sum of the old Jodi + the new Jodi imposed. Cases in which Jodi had been charged before the Potgi Settlement on Sen Inam land, are, however rare so that practically the "Soot" means the moiety of the difference between the Survey valuation or assessment and the Potgi or remuneration fixed under the Rules".

(5) Dy Commr, Tumkur:— No opinion regarding Rule XXIII.

(6) Dy Commr. Mysore. No opinion regarding this rule —

The wording of the rule may have been clearer, but it has the recommendation of having been thoroughly discussed by eminent men like Mr. Gowie Col Anderson & Sir Richard Meade — It has been practically worked by Col Grant & he is the only officer or rather his is the only office in which the rule has to be worked once in 30 years. The first settlement is nearly over & Col Grant says his office people understand the rule & work it without making a mistake. The Dewan's [illegible] of calculation is the same — The rule is further illustrated by practical examples taking all the [illegible] into consideration would let the rule remain as at present. has caused no

(12)

practical in convening ... the only working authority knows it thoroughly well there is no call for any change. No action regarding this rule is necessary & I would drop the matter altogether

~~[illegible]~~ [illegible]
1/9/97

(7) Dy Commr. Hassa[n]
No opinion —

(8) Dy Commr. Shimo[ga]
No opinion —

(9) Dy Commr. Chitaldr[oog]
He proposes the omission of this Rule. For reasons [ex]-plained in connection with Rules IX to XII [...] on —

(10) I.G. of Police : —
No opinion —

(11) Dy: Commr. Kadur. No opin[ion]

(3)

"Rule XXVII. Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land [...] [w]hen so disposed; and every [su]ch officer shall, at any [t]ime, whether at or subsequent [t]o the introduction of the settlement prescribed in these rules, be permitted to relinquish by written Razinama any entire field or fields into which official land may have been marked off by the Survey

(1) Survey Superintenden[t]
In Rule XXVII, Heredit[ary] officer includes officiator as sharer. The jodi ~~[illegible]~~ noted in col: 8 of the [...] under Rule XXV. I d[...] think this is a poi[nt] which any doubt, [...] practice, has been ex[...] Resignations must [...] be of whole Survey [...] only —

(2) Bangalore Dy Co[mmr.]
No opinion

the reduced Jodi should be not the proportionate amount of Rs. 22½, which would only leave the holder a margin of Rs. 7½, but Rs. 20/- which would leave the profit of Rs. 10 intact.

(5) Dy Commr. Tumkur: —
No opinion —

(6) Dy Commr. Mysore: —
No opinion —

(7) Dy Commr. Hassan —
No opinion —

(8) Dy Commr. Shimoga —
No opinion —

(9) Chitaldroog Dy Commr.

The Jodi tax referred to in this Rule means, I believe, the Jodi cess entered in col: 8 of Rule XXV and not that entered in col: 3. As observed by the Dewan however, it is desirable that all room for doubt must be removed by a proper definition of this and other terms used in these Rules.

(10.) Kadur Dy Commr. —
No opinion —

(11). I. G. of Police — No opinion

(4). "Rule XXXVI (16). By Circular Notfn of the Commissioner of Mysore of the 11th Septr/35, lands of village officers held on condition of Service to Government are declared to be inalienable by Sale, mortgage, gift or otherwise. The provisions of this Circular will be strictly enforced".

Dewan's remarks —

"Rule XXXVI ~~prohibits~~ directs strict enforcement of the Circular Notfn of 11th Septr 1835. The date of this Notfn is elsewhere stated to be 9th Septr 1835 vide page 86 of the Revenue Manual. This should be verified".

"This Notfn among other matters prohibited alienation of Service Inams. What is the object of such prohibition when under Rule XXVII the hereditary officer can relinquish it and when under Rule XXVIII

(1) Survey Super

"I have no mea
verifying the
the Circular N
September 1835.
always appeare
11th Septr 1835 in
correspondence a
Seen. The prohib
the alienation of the
Inams under que
has always been en
in the Bombay Pres
Such prohibition b
doubtless considere
calculated to main
the Status and incr
the importance of
family and offic
Letter No 144 of the
July 1874 from th
Secretary to the G
of India to the Ch
Commr of Mysore
the necessity of main
the Service charac
these holdings so-
as the performance
Service attached to

Mysore?

(2) Dy Commr, Bangalore:—

"The present rules, while recognizing that the remuneration allowed was for services rendered and that the Govt is bound to supplement it when insufficient, and is entitled to resume the excess when superfluous, provide for a share in the excess to the Inamdar who formerly, without any right to it, appropriated the excess wholly, while rendering inadequate service. Such liberality can only be justified on the principle that "unto him that hath more shall be given". If past services required the liberality it was needed in the case of the persons that formerly received inadequate remuneration more than in the case of those that rendered inadequate service: if long tenure needed it, all

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[Margin note:]

...ct of confiscation. The Govt were aware of the fact that their [servants] had divided the land maniams & other perquisites with the officiator — and they wanted to treat them with liberality; the idea of a partial concession of profits was thus conceived I suppose, and even when there were no profits at all and the exemption of the idea became impossible, the idea was not abandoned but was allowed. Thus the idea of mani[am] permeated the whole arrangement & the combination of it with service prompted the restriction of inalienability. But see if the settlement had imposed disability to relinquish the result would have been one of hardship. Bad & un-cultivable land could not be got rid of as was the case in the old Nagar Vay system. This hardship was provided agst. & the disability was removed. But there is no analogy between this power to relinquish, & the power to alienate—

Nor is the one the invariable sequence of the other. The parties concerned have not ventilated their grievance – The difficulty apprehended by Dr Coutts in the collection of Jodi is not insurmountable. If there is not a clear & specific provision in the Rules framed under the Land revenue regulation for the collection of revenue on this class of lands (& I think there is not) the defect may be and ought to be remedied by another rule – But that reason is not adequate to modify this settlement. It cannot be said that there is not even a prospective advantage in giving their lands their present special character. It is possible that an amount of the fluctuations in cultivation the officiating remuneration may fall. In such a contingency which however I admit is rare the profits of Hereditary offices increase – all

officer holders were entit... it alike. The present Se... -ment is, I understand, final and permanent. Govt. has the right to res... the land in the event of i... alienation out of the Hak... family. If the Govt. is p... -pared to deal with the Inams in a more equi... manner, I shall recom... their being charged wit... full Survey assessm... Subject to the provisio... if such lands be at th... of such revision, in the ... and enjoyment of the Hak... a certain percentage s... be deducted in token ... tenure. I would not ... any exception as none ... of men already favore...

"I do not quite und... the object of the elab... Scale based on Reve... amount of work whi... or Shanbogue has ... cannot be gauged. ... the amount of reven... is certainly one of

by the hereditary officer relinquishing or alienating the land is not to the extent of the full amount of the Survey assessment of such land but only an amount which bears to the entire jodi tax the same proportion as the Survey assessment of the relinquished or alienated field or fields bears to the Survey assessment of the entire holding of the hereditary officer. Rule XXVII requires also to be modified accordingly. The additional reason in favor of the proposed withdrawal of the prohibition against the alienation of the Service land is that while Govt receives the full assessment of such land from the alienee, the officiator or hukdar expects no addition to his salary to compensate him for any

(24)

loss Sustained by him th
Such alienation and that,
measure will in a mate
degree dispense with the
necessity of revising the
quit rent payable by
hereditary officer or Sh

(4) Sub Division Offr. Chikballa

"Under rule XXVIII, the offi
land though in the possess
of the office holder is n
to form any part of hi
remuneration. He and h
Sharers are free to relinq
them. It is therefore a
-molous that the land
be treated as Service I
and inalienable. La
the Survey valuation o
which is less than the e
-levied Jodi imposed
has some feature distin
-ing it from assessed
land. But where the jo
imposed is equivalent to
the Survey valuation or in
other words when the lan

5) Modification of ^existing Rule XXVIII as indicated in red ink! — Page 71 of No 16 no. 68 of 84 —

If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator the surplus shall be taxed by the imposition of additional Jodi equal to one half the net profits on the above land, (the profits being the difference between the Jodi payable thereon and the full survey assessment or valuation). } To be cancelled.

(6) Modification of ^the present Rule XXVII as indicated in red ink: — Page 71 of P. no! of 7 no 66 of 1874 —

"Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed; and every such officer shall, at any time, whether at or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written razinama any

(26)

persuading them in as m
as the conversion into
Govt occupancy of such
nominally Inam and
inalienable holdings b
the immediate effect of
enhancing their value

(5) Dy Commr, Tumkur: -
no opinion -

(6) Mysore Dy Commr -
No opinion.

(7) Hassan Dy Commr
No opinion

(8) Shimoga Dy Comm

"Dewan's memo para
Notification is also q
in the Chief Commr's G
circular no. 5 of 1872-7
para 4, printed on p
269 of the Rev: Man
The typographical
may be corrected i
revised Rules".

"Since the village
lands have been full
and the holders the
-mitted to relinqu
at will, no object i
by retaining them

continue to be inalienable.
Its complete enfranchise-
-ment by the imposition
of full Survey assessment
and by the removal of the
interdiction against its
alienation, would result
in the cessation of the Several
complications which now
exist including the one
to which Rules XXV and
XXVII frequently give rise".

(10) Dy. Commr. Kadur —
No opinion.

(11) I. G. of Police —
"As regards clause 3 of
para 6 of the memorandum
I think there is a slight
misunderstanding as
regards the meaning of
the Rules. The Rules do not
contemplate the Service
Inam lands still in the
holding of the officiator
and cosharers getting the
benefit of the "net profit",
as the Dewan would call it,
of

20

in Connection with the revision of the Patgi Rules generally —

Please see also Dewan's order para 7 above in the matter in question.

Orders solicited as to whether the attention of the Survey Supdt. may be drawn to the omission above pointed out.

Submitted to Secretary
(Intd) N. C. R.
18/10/98

12

[illegible]
[illegible]
27-10-98

SS
[illegible]

20. Point this out to the Survey Supdt. & suggest that the modification should be such as to include cash remuneration rather than the prohibition applied to service lands by rule XXXVI by some such addition as follows: "This prohibition will also apply to the

Cash remuneration [illegible] the [illegible] Revenue [illegible]
(Intd) [illegible]
19-1-98

SS
to Draft
12
11/11/98

Drafted
SS 23/11/98

(Note Contd.)

11. The Superintendent of Rev. Survey was again written to as directed in the above. He now suggests the substitution of the following for the existing Rule XXXIV of the Totgi Rules:—

"Property moveable or immoveable, assigned as remuneration of an officiator under these Rules, shall not be alienated or assigned to any person whatever without the sanction of Govt., nor shall it be liable to process of any Civil Court".

He thinks that the new rule provides for all that is necessary as the word 'property' as defined includes both service lands and cash remuneration."

Submitted for orders
V. C. R.
13/12/98

Subd to 2nd Cr. & C.S.
R.D.6 An 14.12.98.
14-12-98

I think the suggestion of the S. Supt. may be adopted. Draft order & rule for submission to the other Councillor & to the Dewan for ultimate dis[posal]

(a) O. No. 3626 / R 7324-92 of 29.11.98

No. 380 of 6/12/98

Existing Rule

"By Circular notification of the Commissioner of Mysore of the 11th September 1835, lands of village officers held on condition of service to Govt. are declared to be inalienable by sale, mortgage, gift or otherwise. The provisions of this circular will be strictly enforced."

Passed by the council as this is a legislative measure
16.12.98

SS
For Ex[...]
[illegible]

Recd. 21.12.98

Draft Subd. 28/1/99

21 (1)

Synopsis of the opinions of the Several officers in re revision of the Rules relating to the remuneration of Patels and Shanbogues.

Rule, and the Dewan's remarks.	Opinions of the Several officers
(1) [illegible] Rule XV. The amount of quit rent fixed on the holding of each Share-holder, is fixed for the term of Settlement, but the total emoluments of the officiators will be revised once after 10 years, and will be modified according to the Same Scale in proportion to the revenue of the village as then realized".	1. Survey Superintendent. The "quit rent" in Rule XV does not include what may be called the "Manul Jodi", alluded to in Rule 1, which is a fixed sum: it includes the amount appropriated under Rule XIX and also the additional jodi under Rule XXIII. This Quit rent is fixed for the term of Settlement. As a matter of course, a revision of remuneration after 10 years, or at any time during the currency of the Settlement would entail increased expenditure to Government proportionate to the increase in cultivation and consequently
Dewan's remarks. "4. Again in Rule XV it is said that the amount of ...ent" fixed on the holding ...each Share-holder ...for the term of Settle... ...t that the amount ...tor's Salary will ...after ten years. ...dopted at the	

(30)

D. Letter no. 394/362 d 20/9/99
Enclosure to paper
no. 16

the Service Inam land
~~as the holding~~ relinq
or alienated. Full as
-ment is put on such
and the benefit goes
Govt."

"The Govt. in the ca
which formed the Sub
of reference in my let
as Dy Commr. of Shimo
& in similar cases, h
ordered the "net profi
to be given to the office
but I fear this is not
accordance with the spi
of the rules. The Rules m
be wrong and illiberal
in that case they ought
be amended by whoe
represents the legislat
authority of the State

"All this confusion
arises from there bein
no finality about th
Settlement of Service
in Mysore. In ~~ma~~ Ma

person so convicted
any of the rights or
[illegible]leges of the office
or as Succession or
[illegible]tion to the performance
[illegible] Duties" —

copy put up —

inflicted on village officials for ~~dutie~~ dereliction of duty. It would also be an advantage to enumerate in detail the offences which would entail the dismissal of a village official and deprive the members of his family of the right to succeed to the office". —

(7) Dy Commr. Hassan: —

No opinion —

(8) Dy Commr. Shimoga —

No opinion —

(9) Dy Commr. Chitaldroog —

"Rules XXX & XXXI coupled with the Rules framed under the Revenue Regulation, provide for nearly all the points noticed in para 7 of the Dewan's Memorandum. But the instructions recently issued by Govt. in Progs. No. 10267-75 R. 1055 of 3/1/94, have superseded some of the Rules already in force. For easy reference therefore, a few simple Rules as regards Succession, qualifications, removal, responsibilities &c. may not be out of place in the revised Patel Rules".

(10) Kaur Dy Commr.
No opinion -

(11) I. G. of Police -
"Regarding para 7 of
Memorandum, I do not
if it is necessary to inser
these Rules any provisi
for Succession to patels
for punishment of
-dars. These are regul
by notifications & orders
-lished in the Revenue Ma
at page 269 et seq".
"The Rules provide only
fixing remuneration pa
to Patels and Shanbog
and are intended for t
guidance of the Survey
partment that man
to work them".

(6) Para 8 of the Dewan's Memorandum —
"I have very carefully considered the larger question of the Substitution of 'land' for 'cash' emoluments contemplated in Progs dated 16th Septr 1885 & have come to the conclusion that such a change is un-desirable".

(1) Survey Supdt: —
No opinion.

(2) Dy Commr. Bangalore
No opinion -

(3) Dy Commr, Kolar —
No opinion.

(4) Sub Dn Officer Chikba
No opinion —

(5) Dy Commr. Tumkur:
"Remunerating these
village officers by cas

=ggestion of the Govt of India and against the views of the Survey Commr. (vide Chief Commrs letter to Govt of India, d/ 27th Octr 1874, para 3, and Survey Commrs letter, d/12th Aug /74. para 2.)

What does the Survey Supdt understand by "quit-rent" in this Rule? Is it any original quit-rent" paid by the Service Inam? If so, it is not liable to revision. On a revision, the full Survey assessment and therefore the 'profit' may be more, but the original quit-rent is a fixed sum. "Quit-rent" in Rule XV can reasonably mean only the sum total of the payments described in para* 2 above. (Please see remarks against Rule XXIII) If this is accepted, any revision of remuneration after ten years will subject the Treasury to a loss, for we shall merely increase the

in revenue which place, and there w certainly be no means of getting the equivalent by increasing the Quit-rent on Service Inams excepting in a few instances in which the unappropriated excess or surplus under Rule XXIII might be appropriated to make up the increased salary of the officiators. These instances are scarcely worth taking into account as they would be few. It may be accepted that a revision of remuneration, considering the way culti-vation has spread and is spreading in Mysore, would entail increased ex on Govt. The villo which cultivatn off and in whic salary would would be very

lands are therefore divided and Sub-divided, ~~and Sub divided~~ among the members of the family, and fail more and more to serve the object for which they were originally granted".

"It is therefore desirable once for all, to abolish this unsatisfactory dual system of remuneration, by bringing all the manyam lands under full assessment & introducing cash payments. It may be argued that the imposition of full assessment might be felt as a hardship by those in possession of these lands as additional charge will thereby be made to the jodi &ca now paid. But the difference between the full assessment and the present jodi will be found to be very small, and more than counterbalanced by the full rights of alienation conferred on the holders by this change. The only real objections to this procedure are that the remuneration in shape

manual) directed such Inams "to be registered in the present settlement for purposes of record," but ~~may~~ left them "to be dealt with by the Survey and Settlement Deptt." I suppose this settlement was made for the first time in connection with these rules. It being so I fail to see why the original Jodi alone should be regarded as a constant quantity and the other impositions such as the Jodi to meet the Pooja appropriation & that imposed on profits alone as variable. Practically the question is not relevant as the result in the long run will be the same.

To come to the practical question of revision raised by the Dewan I support the opinion of Col Grant. It is unnecessary to interfere with the quit rent as the extra charge on Govt consequent upon the increase of the officiator's

and Government should be guided by a principle. Therefore the quit-rent should also be revised along with the emoluments of the officiators.

(4) Sub Division Offr. Chickballapur

The term quit-rent is for the first time introduced in Rule XV and it occurs nowhere again. It appears to be equivalent to the expression Jodi or combined Jodi payable under Rules XIX and XXIII. In Rules I and XXV another expression "other cesses" finds place. It would be better that some other term not liable to be confounded with Local & irrigation cesses, which are not intended to be included, should be substituted.

(5) Dy Commr. Tumkur —
No opinion.

(6) Dy Commr. Mysore
No opinion —

(7) Dy Commr. Hassan
No opinion —

(6)

allowance will be [illegible] compensated by the increased cultivation, and the inslames of extra Jodi are very few – The original settlement itself was a concession to the Hereditary Officer family, and it is inexpedient to disturb it on account of the small increase to the Jodie which in theory is quite just & permissible, but which in practice is expected to bring but a small return. I would leave it as it is, & the word quit rent is as good as any which can be found.

A revision after ten years from the first settlement is very fair & I would not consent to change it when the ~~at~~ advantage of the revision is mostly in favour of the village officers.

The ~~revision~~ amendment is settled.

(8) Dy Commr. Shimoga.

No Opinion –

(9) Dy Commr, Chitaldroog.

As observed by the Dewan, the expression quit rent used in this Rule is incorrect and apt to mislead. What is meant is the full Survey assessment minus the old quit rent, if any, and the new Jodi under Rule XXIII. This ought to be clearly expressed in unequivocal Language. The revision of the Patagi once in 10 years ~~will~~ may not really subject the Treasury to any heavy loss. At such revision the officiator will simply get an increase to his Salary in proportion to the assessment of the lands newly brought under cultivation since the date of the last Patgi Settlement. To compensate in part at least for such extra payment the Treasury

Dewan's remarks.

"1. The Settlement of the Pateli and Shanboque Service Inam Lands effected under the Notfn of 27th October 1874 is not an "enfranchisement" of the same. Such an "enfranchisement" was proposed by Col: Meade (vide para 15 et seq of his letter to Govt of India dated 11th April 1874), but was finally abandoned (vide para 2 of Govt of India letter, 810/7/74).

"2. The Settlement effected is as follows:—

1stly. Full Survey assessment is fixed for Service Lands (in the possession of the Hakdar, one or more) and any existing quitrent already paid upon them is deducted therefrom and the balance is regarded as "Profit";

2ndly. "Profit" is subjected to a further payment (or additional taxation) to reimburse the Treasury for the "Salary" of the officiator; and

3rdly. If the "Profit" is more Jodi by appropriation for payment of officiator out of profit as defined in Rule I. Consequently, when the emoluments derived from land alone are more than sufficient to provide the Salary, an additional Jodi equal to half the net profit or Surplus is imposed. Rule XXV and the example there given fully show this, still I admit that Rule XVIII might have been more clearly worded. No mistake in working the Rule has occurred in my office, its intention being well understood.

(2) Dy Commr, Bangalore:—

No opinion as regards this particular Rule.

(3) Dy: Commr: Kolar—

Para 2 of the Dewan's memo correctly describes the manner in which the Service Inam Lands

than the payment on account of "Salary", one half of the difference (or "net profit") is charged on the lands by way of an additional Jodi. Thus the Service lands are Subjected to payments of the original Quit-rent if any, of the officiator's 'Salary' in full within the limit of the 'Profit' and of one-half the 'net profit' if any".

3. If the above interpretation is Correct, Rule XXIII of the Notfn: of the 27/10/74 is wrongly worded, for it prescribes the levy of an additional Jodi equal to half "the Profit" and not half the "net profit" as above ~~def~~ defined.

I would like to have Col. Grant's explanation on the above point and a description of the manner in which he has been carrying out Rule XXIII"

are dealt with under the rules published with the Notfn: of 27th October 1874.

"The word "profit" as used in Rule XXIII of the Notfn; I understand to mean the "net profit" after deducting from the Survey assessment the existing quit rent and the amount appropriated to provide the Salary of the officiator. The wording of the Rule requires to be corrected accordingly".

(4) Rule 2nd of Chickballapur

"With reference to Rule XXIII relating to what is known as "Jodi", I beg to State that it appears from the Statement of Pakka Patgi Settlement furnished by the Survey Department to the Taluk Cutcherri, that the additional Jodi is charged in the shape

land would be more affect[illegible]
and confer better Status on
recipients, and that their [illegible]
-lition will convert the Ser[illegible]
into Small Salaried appo[illegible]
-ments. There is certainly [illegible]
force in these considerati[illegible]
But the powers and privile[illegible]
attaching to the office com[illegible]
with the rights of hereditary [illegible]
Succession, are quite amp[illegible]
in themselves, to secure a S[illegible]
to the holders of these Office[illegible]
to make these Offices eage[illegible]
Sought after. Further all [illegible]
Shanbogues and Patels in t[illegible]
Province, do not hold In[illegible]
land, and purely cash pa[illegible]
-ments obtain in many ca[illegible]
And as the idea of providi[illegible]
these Officers with partial [illegible]
remuneration in lan[illegible]
has now been abandone[illegible]
there is all the greater reas[illegible]
for putting an end to th[illegible]
anomaly. If this view i[illegible]
adopted, the rules will adm[illegible]

(10) Dy Commr. Kadur:—

"I am of opinion that the present System of making cash payments to Patels and Shanbogues Should be continued & that all Such present Service Inam lands on which full assessment has been imposed Should be treated in every respect as Govt. lands leaving them in the names of the persons now occupying them, for the following reasons:—

Supposing that an Inam land is Shared by different hissedars like other family property & that Some of these hissedars fail to pay their Kandayam, the Govt. are unable to proceed against the land it being a Service Inam, neither can they force the Patel or Shanbogue, as the case may be, to pay the arrears of Kandayam".

"Should it be decided to make cash payments instead of land grants as remuneration for Govt. Service, the present restriction now laid upon

and on so doing the relinquished field is immediately to be entered in the accounts as Govt land, and the jodi tax payable by the hereditary officer is to be reduced by the full amount of the Survey assessment of the relinquished field".

Dewan's remarks —

"Rule XXVII is not very clear. Of course "Hereditary officer" in this rule includes a Sharer and officiator. What is the "Jodi tax" referred to in this rule? Has it reference to Column 3 or Column 8 of Rule XXV? It is evident these rules which have the force of law should be carefully revised with proper definitions of terms used".

No doubt the rule admits of improved expression - but no mistake was committed in practical

(3) Kolar Dy Commr: —

The Jodi tax referred to in Rule XXVII seems to represent the sum mentioned in col: 8 of the table under Rule XXV.

(4) Sub Division Officer Chikballapur: —

The object of Rule XXVII was not to reduce, in case of relinquishment of part of Service Inam, the advantage or profit the holder used to derive before such relinquishment (vide para 2 of Chief Commr's Procgs No. 329-28 R. Sec 31/5/80 at page 69 of the Rev. Manual of 1886). The expression Jodi tax in this Rule would seem to mean the total amount of Jodi, Column 8 of Statement under Rule XXV. The Rule has application only in those cases where some profit is still left to the holder under Rule XXIII. If the land is subjected to full Survey assessment or Jodi

(14)

application - Col Grant understands it well - It may be left alone - The Jodi is the Jodi or quit rent finally settled in accordance with these rules - I would not alter it - The rule as it is is properly understood & has been correctly applied.

1/9/97 [illegible]

equivalent to full assessment, relinquishment of part of it would involve reduction of so much of the assessment as the part relinquished was liable to pay. But if the combined Jodi is less than the full assessment, then resignation of part of it should involve no loss of the profit left to the holder. Putting a typical case, let us suppose the full Survey valuation of a Shanbogue's Inam land is Rs. 40 and the Jodi imposed in connection with the Fotgi is Rs. 20, then the Inam would, under Rule XXIII, be subjected to a further payment of Rs. 10/- the combined Jodi payable being Rs. 30/- leaving a profit of Rs. 10 to the holder. If, in this case, the man resigned land bearing a Survey valuation of Rs. 10/-

the Inam Service lan
relinquished in fav-
Govt. and granted to o
be withdrawn; the said
-striction being that
land is given over to o
than the Inamdars on
condition that they sho
give it back when requ
which course has been p
sued in this District s
the receipt of the Govt.
Camp No. 950-60 d 16/9

(11) I. G. of Police —

No opinion —

+ Paper No. 1

Additional suggestion
made by some of the
Dy Commrs. regardin
the revision of the Ru

(1) Scale of Pay —

Patels' Scale.

"Rule V. For the first thousand rupees of the gross revenues of his village, three per cent; for the second thousand or any part of it, two per cent; and for the balance of gross revenue beyond two thousand rupees, one per cent. In the case of villages where the

(1) Dy Commr. Mysore:

"The scale of Patgi now
-taining is in my opin
sufficient to provide
remuneration for ser
rendered in the case
but the very small v
The remuneration n
to the Shanbogues &
of these villages is b

the various circumstances that determine the duties of these officials". (*)

(3) Dy Commr, Chitaldroog:—

"The Scale of Salary has been fixed by Rules V and VI. The following words intended to mean the same thing occur in the first of these rules: "the gross revenue"; "it"; "gross revenue"; and "the collections". In the other rule the only expression used is "gross revenue". In Rule XIII, the term "gross revenue" has been defined as "the whole revenue leviable for any year before deducting remissions". Then comes the new Rule which stands as a substitute for Rules XVI and XVII and which lays down the basis of calculation. Several objections suggest themselves to me in connection with these four Rules. The several expressions used

(*). "Patels are, as a rule, landholders and cultivators and are thus men of independent means. But shanbogues are, in a majority [of] cases, dependent on their [in]come as shanbogues. If [th]is lawful income is inadequate, they must necessarily make it up by [m]eans which are not lawful. This fact should [n]ot be ignored in determining the minimum [s]alary of a shanbogue. At present the minimum [is] too low".

† "The assessment of the occu[pi]ed Govt land (plus 10 p. c of [the] assessment of the unoccu[pi]ed assessed waste Govt land [but] not thereby exceeding the [gr]oss assessment of the Govt land) [of the] year in which the settle[ment] of remuneration of village [officers] is made, will be taken [in] the calculation of the remuneration of officiators". ~~This will, I see~~

the Service Land is to form no part of the officiator's "Salary".

"The prohibition of alienation in the general terms of Rule XXXVI would have the effect of rendering every 'alienation' invalid. Under our present system there is no object whatever in providing for this result. It will be sufficient if the Govt treated every "alienation" in the manner provided for "relinquishment" in Rule XXVII. We do not want to deprive the alienee of the alienated land, though he can be deprived of it under a strict enforcement of the Rule. We only want to charge full assessment on it in the hands of the

was required was laid on with considerable stress. I am myself strongly of opinion that their alienation would diminish the importance of the family and in time reduce the officiator to the position of a mere Gumasta. I think it would be a pity to withdraw the prohibition against alienation of these office lands. By adopting the suggestion made by the Dewan at para 5 (not para 5 but Sub para 3 of para 6) to treat every alienation in the manner provided for relinquishment in Rule XXVII very little additional remuneration would be obtained for the instances in which the whole of the profit under Rule XIX has not been already appropriated,

alienee, making corres-ponding deductions in the total payments leviable on the Service Inam.

"This is what Govt has done in some recent cases and it should continue to be done, as it is perfectly legal for Govt not to enforce the full penalty of actual resumption of land by eviction of the alienee. But the Rule itself should be modified."

The ~~[illegible]~~ whole policy of the Rule seems to be a liberal treatment of a Shanbhogue's family or in other words other hereditary officers than the officiator. The payment to the latter was secured in cash. If the Inam had been resumed & fully assessed the hereditary officers aforementioned would have suffered & perhaps grumbled ~~[illegible]~~ at the resumption as an

are very few indeed, and in the event of a revision of remuneration they would be still fewer. There are, in other words, very few Service Inams of the kind under discussion upon which the full Survey assessment is not being already paid to provide the pay of the officiator. (As regards the question of withdrawing the prohibition to alienate under Rule XXXVI), I think that so little saving would be effected by withdrawing the prohibition and by adop-ting the suggestion made at para 6 of the Dewan's memorandum that I would strongly recommend no change being made in Rule XXXVI".

"As regards revising the present Rules their intention might be made a little clearer to the uninitiated, but as regards their working in my office no doubts or difficulties have occurred."

all events the [illegible] settlement may last at least till the first period for its revision occurs. In the meanwhile altho the reasons predominate and the bulk of the opinion is in favour of the releasing these lands altogether I hesitate to alter a rule which has been framed after so much consideration and discussion. Col [illegible] also is not in favour of the change and I endorse his opinion. With regard to the collection of arrears these lands may perhaps be placed on a par with unenfranchised lands.

2.9.97 [illegible]

(21)

but is, by no means, the only test. The extent of the land, the number of ryots, the number of houses, the number of Survey numbers, the number of Shikmidars & and various other things combine to determine the work of Patels & Shanbogues. I have no objection to Revenue being a guide but to follow it to such an extent as to be obliged to recognise minute differences is quite unnecessary. We may safely have much broader lines of demarcation. What is still better is to have a scale of of Salaries ranging from a maximum to a minimum and classify villages or groups of villages according to that scale on a consideration of the various circumstances that determine the duties of these officials".

"If the above changes be accepted, the two anomalies which the Dewan points out in his memorandum viz the inconsistency between the

the revision of assessment after thirty years and the revision of remuneration after a shorter period, and between power to relinquish and inability to alienate, dispose of themselves: otherwise the rules require to be changed as indicated by the Dewan".

(3). By Commr. Kolar:—

"There is no object in prohibiting alienation of the Service land which the hereditary Officer is at liberty to relinquish under Rule XXVII and which under Rule XXVIII are to form no part of the remuneration of the Officiator. I would therefore strongly recommend a modification of the Rule so as to permit the alienation with the consent of all the cosharers interested, of any entire field or fields into which official land may have been marked off by the Survey. The reduction of jodi tax fairly claimable

(25) 38

is made to pay the full assessment, it is little dif-ferent from assessed occu-pancy land but is handi-capped by the draw back of being inalienable. The theory that such land can-not be forfeited has led to serious difficulty in the recovery of arrears due on it, which was anticipated in para 3 of the Chief Commr's Procgs already quoted, and which I brought to notice in my letter No. 294 dated 13th April /92 in connection with the Goribidnoor Taluk. The sooner this theory is done away with, the better would it be in the interests of col-lection of Govt dues. I have in every possible case that has come before me induced Shanbognes and Patels to re-linquish their Service Inam lands and take them back on occupancy tenure. Nor did I meet difficulty in

(26)

persuading them in as much as the conversion into Govt occupancy of such nominally Inam and inalienable holdings had the immediate effect of enhancing their value.

(5) Dy Commr, Tumkur:—
no opinion -

(6) Mysore Dy Commr —
No Opinion -

(7) Hassan Dy Commr.
No Opinion

(8) Shimoga Dy Commr:—

"Dewan's memo para 4. The Notification is also quoted in the Chief Commr's Genl Circular No. 5 of 1872-73, para 4, printed on page 269 of the Rev: Manual. The typographical error may be corrected in the revised Rules".

"Since the village Inam lands have been fully assessed and the holders thereof permitted to relinquish them at will, no object is gained by retaining them as Inam

lands. They may be re-(27) 34
-moved from the Inam Register
and made liable for the
assessment due thereon in
common with the other Govt.
occupied or unalienated lands."

(9) Chitaldroog Dy. Commr. :-

"There is considerable force
in the Dewan's notes on
Rule XXXVI. Under Rule
XXVII, relinquishment of
what is misnamed official
lands is permitted. Under
Rule XXVIII, the land forms
no part of the officiator's
remuneration. What then
is the object of the prohibition
against alienation contained
in Rule XXXVI? Conditions
have materially changed
since the date of the circular
notification therein referred to.
On the date of that circular
the land constituted the emolu-
-ment of the office. But now it
has ceased to be so. To say
that the land is not a Service
Inam and in the same breath
to say that it is inalienable

(28)

Seems to involve a contradiction of ideas. In my opinion, this prohibition which is as unnecessary as it is troublesome, may advantageously be removed. I have already said so in dealing with Rule XXIII whose abrogation I have recommended. Another argument in favor of my view is, that the land is not ~~impracticable~~ impartiable. Nor does dismissal from office involve a forfeiture of the same, so as to enable it to pass to a new officiator who may be appointed in supersession of the hakdar's family. Such new officiator will, in many cases, thus get less than what he is really entitled to for the performance of the duties of the office. That being so, it is not clear why the land should pay a judi only, instead of full assessment and why it should

× Please see his suggestion in connection with Rules IX to XII further on.

(54)

"Rule XIII. The gross revenue of the village referred to in Rules V and VI, is the whole revenue leviable for any year before deducting any remissions".

These remarks have great force but the construing authority who has to work the rules viz the Supdt. of Survey says that he understands the rules perfectly & that his office has met with no doubt or difficulty in carrying them out. The villagers themselves have not complained of any grievance which may be ascribed to the rules. The rules themselves underwent a good deal

in Rules V and VI are not syn-
-onymous. In an importan[t]
matter of this kind there
ought to be no uncertainty
Coming to Rule XIII the ques[tion]
arises what is "the whole
revenue leviable for any [year]
Any year is evidently [meant]
to mean the year of the Po[...]
Settlement or of a revisi[on]
of such Settlement. Other[wise]
the Salary must necessari[ly]
fluctuate every year in [the]
same way as the gross re[venue]
on which it has to be ca[lculated]
Then again, the whole r[evenue]
leviable cannot & does [not]
include the extra perc[entage]
allowed on the assessm[ent]
of unoccupied lands.
definition is not stric[tly]
accurate. For an ele[...]
of the term "gross reve[nue"]
used in Rules V and VI [we]
have therefore to refer [not]
to Rule XIII alone but [to]
the new Rule which
superseded Rules V & VI.
In other words, ~~[...]~~
which per se profess[...]

of Rs. 500 and under, of 8 Rs. in the case of villages with a gross revenue of Rs. 1000 and under, and of 10 Rs: in that of villages with a gross revenue exceeding 1000 Rs". Or, as an alternative, I would suggest that Rule XXIII (or the proposed proviso to Rule IV) be so modified as to take into account for the fixation of jode the sum total of the Salary fixed under Rules V and VI and the additional allowance payable under Rule. It would be better still if Rule XXIII (or proviso proposed to Rule I) were omitted altogether and if the additional consideration to be shewn to the officiator were to take the form of a cash allowance. The official land may then be fully assessed and made alienable in the same way as all other private property".

"Rule XI seems to conflict with Rule X. Is an officiator to gain under both these Rules I think not. But neither of these Rules seems to exclude cases coming within the scope of the other. If as defined in Rule XI, "large" means "exceeding the Salary of

(36) 36

I believe these Inams have been enfranchised like other Inams and the owner or occupant is free to deal with them like Govt Land, but in Mysore Service Inam Land is prohibited from being alienated, apparently with a view to what little "net profit" which may have left unabsorbed at the first Potgi Settlement being appropriated to the extent of the full revision assessment at the end of the Settlement term (Rule XV) But it is a question if, at such revision of Potgi, Government take into account the net profits on Service Inam lands which during the currency of the Settlement have had full assessment put on them either owing to their being resigned or alienated. This ought, in

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\+ Please see enclosures to paper no. 16

in fairness, to be done; and it was in connection with this that I addressed the Supt of Survey in my memo No. 468 of 13/5/79 as Dy Commr of Shimoga. But instead of laying down these lands in this manner for the sake of the small "net profits" which might have to be absorbed at a revision of Setgi Settlement, it will be a benefit both to Govt and the people to once for all declare lands on which final jodi has been put as per col: 8 in Rule XXV to be enfranchised Inams. Govt will have ample assets in the enhanced assessment which a revision implies for meeting the proportionate rise in the remuneration to be paid to village officers".

Para 7 of the Dewan's Memo

Dewan's further remarks in Connection with Rule XXXVI —

1st Rule XXXVI is general in directing the enforcement of the Notfn of 11th September 1885 and therefore it has the effect of laying down that —
(a) the village offices are, as a general rule, to be considered hereditary and to be enjoyed by father and son in succession;
(b) if in any case, the hereditary claimant to the office is found unfit or unworthy from incapacity or bad character, his claim may be rejected, another person properly qualified being appointed, preference being given to a near relative of the Miraasdar;
(C) where the office is held by two or more Co-parceners

(1) Survey Supdt: —

No opinion.

(2) Dy. Commr. Bangalore —

"There are a few minor points of administration about which the rules are silent or vague or defective. It is not clear whether the rules recognize the succession of several Hakdars by rotation. If they do, it is a serious mistake. Change of hands removes the sense of responsibility to a great extent and relaxes our hold on the men. A man once chosen should, I think, remain in office until death or resignation or dismissal removes him which is in fact the existing practice in the Bangalore District".
(2) Dy. Commr. Kolar: —

"Para 7, clause C. of the Dewan's Memorandum. It is not clear whether it is intended to allow two or more persons to officiate as Shanbogues at one and the same time. If so, it would be inconvenient and I think that only one Shanbogue

"Similarly, it is not clear whether it is the Dy. Commr or the Hak family that has to nominate a Hakdar to a vacancy by death (vide Rules XXX, XXXI, & XXXV). It would be extremely inconvenient to vest the family with this power. The last sentence of Rule XXX is, to my mind, capable of no interpretation that can be justified on any principle. Similarly, the express use of the word "Son" in Rule XXXI excludes other heirs from the operation of that clause. The object being to make the punishment real, the man punished and every such heir as is subject to his influence should be excluded"

or Sharers, they shall all jointly and individually be responsible for the due and honest discharge of its duties, on the penalty of the forfeiture of the right on the proved misconduct of any one of the joint partners".

When revising the present Rules, some express provision to the above effect should be made in it. Such provisions existed in Col: Prescott's first draft in express terms. The final Draft adopted enacts the same provision by the unsatisfactory means of Rule XXXVI.

Rule XXXVI is doubtful, defective & it is a pity that in this important matter the Survey Sett. Offr has not given his opinion. Personally it is doubtful to my mind whether the effect of the rule is to keep alive the whole of the notn of 1835 or of only such portion of it as has been adopted by this rule. It declares

should officiate at a time, the other Hakdars having their turns on his dismissal or death and paying in either case any money embezzled by him if so required by Govt. If however a rotation is considered desirable each man will as a general rule be responsible during his own turn and even in that case the man succeeding may be held answerable for payment of sums embezzled by their predecessors so that all the Hakdars may watch one another's actions & promptly bring to the notice of Govt the irregularities on the part of the respective officiators for the better security of Govt money".

(4) Sub-Division Offr [illegible]

"I beg also to urge in this connection, that there should be some distinct understanding and uniformity of principle in the matter of succession to village offices. The course of recent Govt decisions has

(If the difference is more than five or ten percent rule 11 comes into play I suppose & then a fraction or 10 percent subject to a minimum ~~and from till~~ already prescribed in rule 10 will be allowed. So rule 11 is a contn of rule 10.)

These are real objns & it is desirable to know how the Supdt of Survey has worked these rules in practice & what he has to say regg the changes proposed. Please then send a copy of these remarks to the Survey Supdt & ask him for the above information & his opinion.

"Rule XIV. Patels and Shanbognes shall receive their emoluments by a deduction of the amount of the same from the assessment on their Kandayam lands, the same being adjusted at each annual jamabandi & duly shewn accordingly in the village accounts to prevent complications. Where the assessment on their lands is insufficient for this purpose, the balance will be made up by their deducting it from the last instalment of revenue, before paying such instalment into the Taluk Treasury. In the officiator* as fixed by R... or VI", many an officiat... be entitled to the benefit ... these Rules, as well as to t... of Rule XXIII. Rule X as i... will have dealt with ... the cases contemplated b... XI, while its amendmen... proposed by me will h... dealt with all such c... Where then is the need for... Is an officiator to have ... fold compensation for ... single loss. I would d... Rule XI altogether."

Dy Commr, Hassan:—

"Rule XIV may be modif... permissive provision is ... mischevious in practice... payment from Treasur... be preferred and entire ... should be remitted to t... Treasury or the Patel m... authorized to disburse i... the Shanbogue as the P... keeps all the collections ... from the amount of the ... Instalment".

(2) Dy Commr Shimoga:

"Govt Pro: No. 322-9 97 ...
R 728892
(+ copy put up)

...itor shall be his exclusive perquisite, on which no other member of the family shall have a claim".

...le XXXVIII. The Patel & Shanbogue shall in all cases reside in the village or one of the villages constituting their charge. No Patel or Shanbogue shall absent himself from his charge for more than seven days without previously obtaining leave from the Amildar of the Taluk".

What is the significance of the sentence "the remuneration of the officiating Patel & Shanbogues shall be fixed on the scale for each"? Does it mean that the Patel shall draw pay according to the scale laid down for him & the Shanbogue according to that prescribed for him? In other words does it mean that the scale fixed for one does not apply to that laid down for the other? If so, this is self evident and there is no necessity whatever for this part of Rule XXXVII".

(1) Dy Commr. Hassan:—

"Shanbogues are not living within their charges as contemplated in Rule XXXVIII & a forfeiture should be provided for default of such residence. This may involve a reduction of the amount of the Potgi by one-fourth and they may get only three-fourths for the surplus charges held by them".

(2) Dy Commr. ~~[illegible]~~ Bangalore:—

"While it is necessary that the Patel should live in his range, it is not so absolutely necessary that a Shanbogue should do the same provided he lives not far. A Brahmin can hardly live where he can find no other Brahmin. The Rule is more or less, a dead letter. Even in the case of Patels it sometimes leads to lying. I know of more than one Patel living out of his range under circumstances which cause

that the provisions of that Act not? shall be strictly enforced - But in this & in a few other rules several provisions have been re-enacted and amplified. The Revenue Rules also provide for succession of Shanbhogs ~~[illegible]~~ It must in the first place be decided whether it is the Revenue Rules or these which sh? provide for these matters. At present however between these two rules all the necessary provisions are found. Making all hereditary officers jointly responsible for the fraud or other irregularity of the officiator is neither just nor expedient. No doubt some of the executive orders ~~[illegible]~~ recently issued have had some disturbing effect on these rules & on the relations clearly entertained as long established & the Govt ought to nullify this effect &, by a consistent and rational [illegible] with rules, [illegible] ~~[illegible]~~ [illegible] examples are [illegible] [illegible], but a [illegible]

not, I respectfully beg to urge, conduced to certainty or uniformity. When two branches of Hakdars contest an office, a decision that one Branch having enjoyed the office for a number of years should give place to the other which should have its own turn, does seem to upset long-formed and natural expectations. There are also decisions permitting parties to reopen the suit when a vacancy should occur. I refrain from dwelling more on this subject lest I should be understood to enter upon a criticism of the orders of Govt which is far from my intention. My object is to urge, now that it is proposed to revise these Rules, that some intelligible principle should be laid down for regulating

(36)

~~[illegible]~~

The [illegible] remarks of the late Mr Krishna Iswarayya are very pertinent & are quite true. The disintegrating influences now at work must be put a stop to. At present however these rules may remain as they are. I am very much opposed to the rewording of the old absorbed muzras & appointing two patils to each village –

(2)

Succession to the Offices. Uncertainty in this respect breeds perpetual litigation and intrigue in villages, against the existing Officiators by possible claimants. Those persons or branches who have held Office for the limitation period of 12 years, should be able to count upon having it in their own line".

"Other members or branches of the family may be registered Hakdars having a claim to succeed only when the line of the Officiator becomes extinct or forfeits the office".

(5) Dy. Commr, Tumkur: —

No opinion.

(6) Dy. Commr, Mysore —

"As regards Succession to Office; it is not sufficient simply to declare that it shall be considered hereditary and to be enjoyed by father & son in succession. The right of co-parceners & the circumstances under which they should be entitled to succeed, should be detailed

as far as possible. The Office is in some cases now held by turns, or in shares. These also should be dealt with and some means devised for putting an end to such inconvenient arrangement.

"Rules 29 + 33, as regard the distribution of the charges of the Shanbogues, are not quite clear and imperative. They are not strictly enforced in all cases and give room to favor + partiality in the treatment of individual cases. It is desirable to lay down when the charges should be divided and to insist upon such division being made without exception. The rights of the Officiators to nominate their successors to the new charges should be better defined and instructions provided in what

"Rule XXIX. The charges of Shanbogues will be re-distributed so as to give each Officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of one Officiator, he will be required to give up the surplus villages for which one or more new Officiators will be appointed by Govt. The new Officiator or Officiators will be appointed from the family in which the hak has been hitherto vested if a competent person can be found".

"Rule XXXIII. In arranging charges, except in the case of single villages, as a rule no one Officiator shall hold charge of villages with a collection of more than about Rs. 2000/- and when five or more villages are combined

(70)

no inconvenience. I give [illegible] extreme instance. Men [illegible] two villages side by si[de] forming two streets: the [illegible] of one of them lives in the [illegible] which is a violation of th[e] [illegible] We cannot force him to [illegible] up his family house, a[nd] [illegible] is the best man availa[ble] [illegible] I think it is as well to m[ake] the rule a little more e[lastic] and give discretionary p[ower] to the Dep[uty] Comm[issione]r".

(7) **Sub Division Off[ice]r Chikba[llapur]**

" If the Rules are to be [re]-vised, I beg to submit a [few] points for consideration. [The] first is the recent[+] order [illegible] directing that subordina[te] Dakhala villages which [had] been independent villag[es] but which were absorb[ed] [in] other villages during the [illegible] Settlement should hav[e] [their] own Patel independentl[y] [of] the Patel of the princip[al] village. The Supreme c[onsider]-ation in deciding these q[uestions] is ~~that~~ these offices are, a[illegible]

+ No. 10267–75 d 3/1/94
R. 1055
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(These remarks are very true & have my fully sympathy & concurrence)

(76) 74

Please see remarks in them.

The main question raised is about the revision of Shanbogues' remuneration after the expiry of the first period of ten years which is due in several places. This may be sanctioned at once.

There is a reference needed to the S. Supdt regarding the remarks of Mr S. Iyengar about rules 10 & 11. This may be made, but the issue of the order regarding revision need not be delayed on this account. This order must be submitted to the Dewan before issue. This revision is a question involving protection & efficiency [illegible] ... 9-97 [initials]

Please if there are any inconsistent instructions of this complication & try rectify them [initials]

Office
Has this not been already sanctioned?
[initials]

Ret
[illegible]
3/9/97

Draft passed
[illegible] 11-9-97

Submitted for [illegible]
The order directing revision was passed by the 2d from 31/8/96 approved by the Dewan on 2/9/96 & issued on 3/9/96 -
[initials] 11-9-97.

in one charge, no one Officiator shall, as a rule, hold more villages than give a revenue of about Rs. 1600".

"Rule XXX. In all cases of incompetency of the officiator in direct hereditary succession, whether from age, sex, inefficiency, or any other cause, the next of kin, if competent, will be appointed; if no competent person of the family can be found, the nomination will rest with Govt. Such nomination to hold good in case of a minority till the end of the year in which the minor shall attain full age (18 years); in other cases for 3 years, when the nomination will revert to the hereditary family if a competent person can be found therein".

"Rule XXXI. Any conviction of malversation in performance of official duties shall render the person convicted incompetent to officiate again, and shall deprive him, in cases of selection being vested in the members of the family, of any right to take part in such selection. It shall also be in the power of the District officer to exclude the conv[icted] cases and in what manner appointments should be made by the District Officers".

"The wording of Rule XXX is vague. It is desirable to enumerate in order of priority the various claimants to the office and to define the rights of children widows or female heirs and minors, and to regulate claims for maintenance and allowances to be paid to the Gumastas. It is necessary at the same time to define the qualifications literary &ca: required to qualify applicants for the Office".

"Rule 31 is not as full as it should be. Rules are also required for the guidance of the District Officers regarding the minor punishments such as fines and suspensions to be

ference (75)

Paper Nos.

rom the Supdt: } — 5

mdr. Bangalore — 6

Kolar — 13

ffr. Chika Ballapur } — 14

mmdr. Tumkur — 3

mmdr. Mysore — 11

Hassan — 12

Shimoga — 8

Chitaldroog — 7

Kadur — 4

of Police — 16

payments and fully assessing the so called Service Inams is by ~~[illegible]~~ far best, that course being less complicated".

<u>(b) Mysore Dy. Commr</u> —

"The question whether the remuneration should be entirely in cash, or consist wholly or in part of emoluments in lands, has been discussed in the correspondence on the subject. Opinions being divided, a middle course was adopted on considerations of expediency confirming the land emoluments only so far as the existing Service Manyams were concerned. The existing Inams were reckoned at their survey valuation and cash payments provided wherever they were found inadequate. And when such value exceeded the Potgi due according to the scale, a partial jodi was collected. The question was further complicated by the fact that the Inam land

I am glad of this: continuity of policy is a great desideratum in a Native State and I am sure cash payments have not been attended with any inconvenience so as to call for a change - let the established order of things continue till the necessity for a change asserts itself.

[illegible]
2.9.97

77

Proceedings of the Govt. of Mysore

Order: No. $\frac{2477-85}{R.908}$ d 3d September 1896.

The Superintendent Revenue Survey is requested to arrange as early as possible, for a revision of the Potgi Settlement in Taluks in which such Settlement was made more than 10 years ago, and report the result for the orders of Government.

(Signed) C. Sreenivasiengar,
Secretary.

To
The Superintendent
Rev. Survey
" Dy Commrs of Districts
for information.

(42)

were not all in the occupation of the officiator, or his family, and further rules had to be framed to bring them under contribution for making up the remuneration required. This middle course is thus neither logical nor simple. And though the rules strictly provide against the alienation of the Service Inams, they have been practically evaded in various ways and the village Officers performing the duties, do not in many cases, enjoy the benefits of these lands. It is hard, under these circumstances, to regard them as tangible and substantial remuneration for the service rendered. Even when the officials are in possession of the whole of the Inams, the long enjoyment has led them to look upon them as their private property and not as remuneration for work, and to be enjoyed only so long as they perform such work satisfactorily — These

of a very great Simplification.
"If this however be considered too violent a change, and it should be decided to continue the present System, it is highly desirable that the Lands or at least so much of them as are in the enjoyment of the present village Officers or their undivided families, should be distinctly constituted and declared as the personal Service Inams of the officiating village officers only so long as they hold the office and that an acknowledgment should be taken every year from them, that they are in sole enjoyment of such Lands & that they hold themselves liable to hand them over intact to their Successors in office. The Lands which are in the possession of other Sharers or third parties should be treated as alienated Inam and should be assessed fully or partly according as it may be decided to deal with them."

(7) Dy Commr, Hassan—
No opinion—

(8) Shimoga Dy Commr—
No opinion.

(9) Dy Commr, Chitaldroog—

"Formerly, Patails and Shanbogues used to be remunerated (1) in land, (2) in cash in pure cash, and (3) in aya or grain payments. All these sources of income have now been abolished in Taluks to which the Potgi Settlement has been introduced. In lieu thereof, these officials now receive a cash salary from the Treasury. The scale of their salaries has been fixed. The Treasury reimburses itself for such payments by (1) Assessing the official land (2) Stopping the old cash payments wherever they existed and (3) abolishing the aya and virtually adding it on to the Survey assessment which but for such abolition would have been much less. (vide para 21 of the Chief Commrs letter to the Govt of India Foreign Deptt No. 328-9/R of 11th April 1874)"

"Rules I, II, and III lay down in effect that the cash allowances, if any, plus the difference between the full Survey assessment of Service Inam lands and the quit rent which is being paid thereon shall be taken to be the present emoluments of the office. These are clear & simple enough and seem to require no alteration."

"Rule IV lays down that in lieu of such emoluments, the Officiator shall hereafter receive a cash Salary. The object of Rules XVIII to XXIV is simply to lay down that the existing emoluments shall be withheld so as to enable the Treasury to reimburse itself for the cash Salary. An exception has been made where the emoluments derived from land exceed the cash Salary, in which case one half of the difference will be allowed to the Officiator by way of deduction from the Survey assessment leviable

on the Service Inam. ~~Lands~~ As observed by the Dewan, Section XXIII which relates to this exception is incorrectly worded. It appears to me that Rule XVIII to XXIV are unnecessary and may be dropped altogether. The object of the Scheme is the Substitution of one kind of remuneration for another. Where then is the necessity for framing a large number of rules for the mere purpose of explaining how the Treasury will reimburse itself for the payment of Cash Salaries? The object is fully attained by adding at the beginning of Rule IV the phrase "In lieu of existing emoluments which shall be discontinued", and by inserting a proviso as follows at the end of that Rule:— "Provided however that where "the existing emoluments derived "from Land exceed the Cash Salary "of the officiators as fixed in "manner following, one half "of such excess shall be allowed "in addition to the cash Salary, "by way of deduction as jodi "from the full Survey assessment "levied on such lands".

"Rule IV. The Officiating Patel and Shanbhog of each village shall hereafter receive for the performance of the Duties of their Office, a remuneration in cash of at least the amount fixed by the following Scale for these Offices respectively" —

(12) 79

MATTER FOR COUNCIL MEETING

SUBJECT

Certain alterations & modifications in the Rules for the remuneration of Patels & Shanbhogs.

Circulated to Councillors

By Order,

[illegible]
For Secretary.

20-1-1900.

Name	Date of receipt	Date when passed on
Rajadharma Pravina T. R. A. Thumboo Chetty, Esq., C.I.E.	The existing Rules were sanctioned by Govt of India before the rendition. They relate to [illegible]. Could we now amend the Rules without sanction of Govt of India?	
P.N.Krishna Murti, Esq., C.I.E.	Rd 4 P.M. 2.2.1900.	[illegible] 5/2/19
V. P. Madhava Rao, Esq., C.I.E.	1/3/00	
The Secretary ...		

before next meeting submission & approval of [illegible] revisions by the Govt. [illegible]
7/3/00

As these Rules are included in the Schedule to the Instrument of Transfer, a previous reference to the Govt. of India is necessary under Article 19 of that document.
[illegible] 22-1-00

Memo – Rules regarding the Potails & remuneration of Shanbogues.

P/a

(1)

1)...The Settlement of the Potail & Shanbogue Service Inam lands Effected under the Notn. of 27 Oct 74 is not an "Enfranchisement" of the same. Such an "Enfranchisement" was proposed by Col. Meade. (Vide para 15 et seq. of his letter to Govt. of India of 11 April 74.) but was finally abandoned – Vide para 2 of Govt of India letter of 10 July 74.

2)....The ~~present~~ Settt. effected is as follows:–

1st. Full Survey asst. is fixed for ~~land~~ Service lands (in the possession of the Hakdar one or more) and any existing quitrent already paid upon them is deducted therefrom and the balance is regarded as "Profit".

2d. "Profit" is subjected to a further payment (or additional taxation) to reimburse the Treasury for the "Salary" of the Officiator.

& 3d. If the "Profit" is more than the ~~Salary~~ payt. on acct. of "Salary" ~~as above~~, one ~~of~~ half of the difference ("net profit") is charged on the ~~S.~~ lands ~~are p Subjected to a further payment Equal to one half of the~~ by way of an addl. Jodi –

Thus the Service lands are subjected to ~~three distinct pay:~~ payts. ~~on acct.~~ of the original Quitrent if any, of the Officiator's 'Salary' in full within the limit of the Profit and of one half the 'net profit' if any.

3).. If the above interpretation is correct – XXIII of the Notn. of the 27 Oct. 1874

collections do not exceed Rs. 300/-, he shall, in addition, to the above percentages, receive a fixed annual allowance of one rupee, when the gross revenue ranges from eleven to fifty rupees; of two rupees, when the gross revenue ranges from Rs. 51 to 300; or so much of it when the gross revenue exceeds Rs. 250/- as shall be required to make the salary up to but not exceed rupees ten per annum".

Shanbogue's Scale

"Rule VI. For the first thousand rupees of the gross revenue of the village, or villages forming a Shanbogue's charge, four per cent; for the second thousand, three per cent; for the third thousand, two per cent; for the fourth thousand one per cent; and for the balance of gross revenue beyond four thousand rupees, one per cent."

pittance and it is desirable to fix higher minimums than under the present rules. No Patel or Shanbogue can be expected to perform all the duties appertaining to his office whatever the size of the village may be when his Sotigi is only a few rupees. Ten rupees is as small as it can be for a Patel and anything less than Rs. 15/- would be too small for a Shanbogue, and these may be fixed as the least that shall be paid to any officiator. I am unable to say what would be the financial effect of the adoption of these minimums, but is not likely to add much to the total cost. If necessary the extra charge entailed by this change may be met by reducing in the scale of remuneration for Patels the percentage on the 2nd thousand by one per cent".

(2) Dy. Commr. Bangalore—

"I do not quite understand the object of the elaborate scale

is wrongly worded for it prescribes the levy of an add! Jodi equal to half the "Profit" & not half the "net profit" as above defined.

I would like to have Col Grant's explanation on the above point & a description of the manner in which he has been carrying out Rule XXIII.

4) ... Again in Rule XV it is said that the amt. "Quit-rent" fixed on the holding of each Share-holder is fixed for the term of Settt. but that the amt. of the Officiators' Salary will be revised once after 10 years. – This rule was adopted at the Suggn.

What does the Survey Supdt. understand by "Quit rent" in this Rule – Is it any original "Quit rent" paid by the Service Inam? If so it is not liable to revision ~~I presume~~ ~~The full Survey Asst. may on~~ ~~each revision be more and therefore~~

On a revision the full Survey asst. & therefore the 'profit' may be more but the original Quitrent is a fixed sum.

"Quit rent" in Rule XV can reasonably mean only the sum total of the payts. described in para 2 above. If this is accepted, any revision of remuneration after 10 yrs. will subject the Treasury to a loss, for we shall merely increase the ~~payt. of~~ salaries paid from the Treasury ~~[illegible]~~ & not levy the equivalent of such ~~[illegible]~~ increase from the Service Inam lands –

7). Rule XXXVI is general in directing the Enforcement of the Notes of 11 Sept 83 and therefore it has the effect of laying down that

(a) The Village offices are, as a general ~~[illegible]~~ rule, to be considered hereditary and to be enjoyed by ~~father~~ & son in succession

(b) If in any case the hereditary claimant ~~is found~~ to the office is found unfit or unworthy from incapacity or bad character, his claim may be rejected, ~~[illegible]~~ & another person properly qualified being appd., preference being given to a near relative of the Mirasdar.

(C) Where the office is held by ~~one~~ two or more co-parceners or sharers, they shall all be jointly & ~~severally~~ individually be responsible for the due & honest discharge of its duties, on the penalty of the forfeiture of the right on the ~~[illegible]~~ proved misconduct of any one of the joint partners

When revising the present rules some ~~rules~~ express provisions to the above effect shd. be made in it. Such provisions exist in Col

(52)

based on revenue. The amount of work which a Patel or Shanbogue has to do, cannot be gauged solely by the amount of revenue. Revenue is certainly one of the tests, but is by no means, the only test. The Extent of the land, the number of Khates, the number of houses, the number of Survey numbers, the number of Shikmidars and various other things combine to determine the work of Patels and Shanbogues. I have no objection to Revenue being a guide but to follow it to such an extent as to be obliged to recognise minute differences is quite unnecessary. We may safely have much broader lines of demarcation. What is still better is to have a scale of Salaries ranging from a maximum to a minimum and classify villages or groups of villages according to that Scale on a consideration of

the

of consideration & dis[illegible] — Under these circs I do not think that a[illegible] case has been made out for asking the Govt of India to revise their rules and to accept a modified version I would allow the present revision to take place under these rules & let us see if there any practical difficulties present them-selves.

2.9.97 [illegible]

"gross revenue" for the purposes of Rules V and VI, does not really fulfill that mission without the aid of another Rule which it does not acknowledge. In the Latter Rule too, there seems to exist an anomaly. The full assessment on all occupied land plus 10 per cent of the assessment on unoccupied cannot possibly come up to, much less exceed, the gross assessment of the village. What then can be the meaning of the phrase "but not then exceeding the gross assessment"? Lastly it strikes me that 10 per cent is too little. I would meet the foregoing objections thus:—

In Rule V, I would substitute "gross revenue" for "gross revenues" and "collections".

I would throw into a single Rule, Rule XIII and the new Rule which has taken the place of Rules XVI and XVII. The rule to be thus framed may read somewhat as

as follows:—

"The gross revenue of the village referred to in Rules V and VI, shall mean the full Survey assessment of all occupied Government land irrespective of remissions, plus 20 per cent of the full Survey assessment of all unoccupied assessed Govt land, as recorded in the village accounts of the year in which the Patgi Settlement or revision of such Settlement shall take place".

"The language of Rule V is not quite correct. For "of two Rupees when the gross revenue ranges from Rs. 51 to 300; or of so much of it when", I would substitute "of two Rs: when the gross revenue ranges from Rs. 51 to Rs. 250; and of so much when"....

It is not clear why villages with a gross revenue of less than Rs. 51 have been denied the benefit of the additional allowance. Likewise, I cannot understand why the Shanbogue has been denied the concession which

(2) Rules IX to XII.

"Rule IX. The Salaries of officiators fixed by the preceding rule form the minimum rate of remuneration; but an addition to the fixed portion of the Officiator's allowance, according to Scale, will be made in certain cases specified in the following subsidiary rules".

"Rule X. When the difference between the total of existing emoluments (as found by Rules I and II) & that as fixed by Rule V or VI falls short of Rs. 5 in the case of villages having a gross revenue of less than Rs. 500 and of Rs. 10 in case of villages having a gross revenue in excess of Rs. 1000/-, this difference shall be assigned as a permanent fixed allowance to the Officiator in excess of his Salary as fixed by Rule V or VI.

"Rule XI. When the total of existing emoluments is large, viz, when it exceeds the Salary of the Officiator as fixed by Rule V or VI, 10 per cent of this excess will be assigned as a permanent fixed allowance

which has been granted to the Patel. I think both ought to be treated alike. I would amend Rule VI accordingly.

(1) Collector Dy. Commr.

"Rules IX to XII provide for certain additional concessions. Of these, Rule IX seems to require a slight verbal alteration. What is the fixed portion of the officiator's allowance? The addition contemplated by Rules X to XII is an addition to the entire allowance fixed according to Scale, and not to a portion of it. I would therefore omit the words "fixed portion of the

Rule X seems incorrectly worded and is in some respects anomalous. What is probably meant by "less than Rs. 500" is "Rupees 500 and under". In other words I believe "500 Rs." was intended to be included. These two expressions are not however synonymous. The one excludes "500 Rs" while the

to the officiator in excess of his Salary as fixed by Rule V or VI".

Rule XII. In the case of towns, large villages or villages within the vicinity of Railway Stations, camping grounds, large marts and similar localities, the Patels of which are ordinarily called upon to perform heavy miscellaneous duties, an extra allowance not exceeding Rs 15/- per annum will be assigned to the Patel (and where there are two officiating Patels to each Patel) in addition to the Salary of the Office fixed by the Scales in Rule VIII".

other does not.

" Falls Short of 5 Rs ...... and of 10 Rs". What does this mean? Does it include Rs. 5 and Rs 10 or does it exclude it? The meaning probably is "Falls Short by 5 Rs and under" and of "10 Rs and under". Even this is not free from objection. Suppose the difference exceeds 5 Rs. or Rs 10 as the case may be. Is no addition whatever to be made under this Rule? If So it is not clear why a difference of 5 or 10 Rs Should be given the benefit of this Rule and a difference exceeding it Should be altogether denied the same. I can understand a limit being placed upon the additional allowance in the event of the difference exceeding 5 or 10 Rs. But why in Such cases, no additional allowance whatever Shall be given,

(3)

No. 322

Tumkur District

Deputy Commissioner's Office

(45) Tumkur 3rd October 1894

To

The Chief Secretary to the Government of Mysore

Sir,

With reference to your official Memorandum Camp No: 174-83 of the 30th September 1894 calling for opinion about the remuneration of the Patels and Shanbogues, I beg to state that in my humble opinion remunerating these village officers by cash payments and fully assessing the so called Service Inams is by far best, that course being less complicated.

I have the honor to be
Sir
Your most obedient Servant

K. Venkataravu[?]
Deputy Commissioner
Tumkur District

(4)

(General Serial No. 30.)

1894. 5-372

RT571

From

The Dy. Commissioner Kadur District

LR 56-94-1X

To

The Chief Secretary to the Dewan of Mysore.

Dated 28th

Despatched 30th October

Received

Enclosures No.

General No. 230 } 1894-95.
No.

Submitting opinion on Dewan's Memorandum dated 4th July last, on Rules regarding the remuneration of Patels and Shanbhogs.

Regd 1/11/94

Ref 1/11/94

I cannot understand. If the difference is more than 5 or 10 Rs, only 5 or 10 Rs may be allowed. If it is 5 Rs. or less, or 10 Rs or less, such actual difference is allowable. I believe that this is the real intention though the language of the rule does not give a clear expression to it. The Rule has therefore to be modified.

Then again, this rule provides for an additional allowance, only in the case of villages whose gross revenue is either 500 Rs and under, or exceeds 1000 Rs. What about villages with a gross revenue of between Rs. 500 and 1000? Are the officiating Patels and Shanbogues thereof to be given no additional allowance whatever? If so, why? Now let us take a village with a gross revenue of Rs. 500/- the Patel of which hitherto used to enjoy emoluments amounting to Rs. 20. Under Rule V he will hereafter get a cash

(60)

Salary of Rs. 15 while under Rule X he will get the whole of the difference of Rs. 5 as an allowance. In all he will get his usual 20 Rs. and will be no loser by the introduction of the new Scheme. Let me contrast this with another village with a gross revenue of Rs. 600/- and with present emoluments valued at Rs. 25/-. Under Rule V the Patel thereof will hereafter get Rs. 18/- only or 7 Rs. less than his existing emoluments. In other words the Patel of a village with a larger gross revenue and larger existing emoluments will get less hereafter than the Patel of a village with a smaller gross revenue and smaller existing emoluments. Does this stand to reason? I think not.

Again the word "difference" is not the correct word to use here. Ordinarily it signifies either an excess or a deficiency. What is really intended to

be

be conveyed is "excess".

Lastly comes the question whether such allowance is to be given in addition to the remission granted in the shape of jodi of half the excess or net profit under Rule XXIII. To answer this in the affirmative would be to subject the Treasury to an unnecessary loss. Let us suppose that the difference is Rs. 10/-. The whole of it is paid as an allowance under Rule X, and yet one half of it is also deducted as jodi from the survey assessment of the official land. Thus the charge on the Govt. will be fifty per cent more than the difference. Why should it be so? I think the object is simply to compensate the officiator for actual loss. If the salary as per scale is more than his existing emoluments, he gets it though the loss falls on the Treasury. If it is the same a[...]

(The two objects are different - The object of one is ... the ... body of hereditary officers in ... of Govt. ... and the other is the officiator)

(5)

(General Serial No. 30.)

1894. 5782

(100)

From

The Suptt. Mysore Revd. Survey

LRSB—94—5

To

The Chief Secretary to the Dewan of Mysore.

Dated Chamrajnagar 6th November /94

Despatched

Received

Enclosures No.

General No. 286
No.

In reply to Official Memorandum Camp No. 1/L 83 of 30th September 1894

SUBJECT.

Offering his opinion on certain questions connected with the remuneration of Patels & Shanbogs as fixed under Notifn of 27th Oct. 1874 raised by the Dewan in his Memorandum dated 4th July last

Recd 9/11/94 Ref. 8/11

References (to be entered only in the Dewan's Office).

Rd 12.11.94

as such emoluments he gets it and there is no loss either to himself or to the Govt. If it is less, he has to be reimbursed for the loss within certain limits. But he is certainly not entitled to be compensated in more ways than one and in such a manner as to give him an undeserved advantage over the Treasury.

I. G. of Police:— "The phraseology of Rule X appears to be capable of improvement". —

Under all these circumstances, I am of opinion that Rule X requires re-casting somewhat follows:—

"When the existing emoluments as found by Rule III exceed the salary as fixed by Rule V or Rule VI plus the jodi as allowed by Rule XXIII (or by the proviso to Rule IV as suggested by me), such excess shall be assigned to the officiator as a permanent additional allowance, up to a limit of Rs 5/- in the case of villages with a gross revenue

this latter event, the receipt of the Patel or Shanbogue for the amount of such balance as so deducted shall be considered equivalent to the payment into the Treasury of an equal sum in cash".

x Paper no. 1

must necessarily give room to various mal-practices on the part of the village officials to whom the benign Govt. intend to show indulgence. The option allowed them of deducting Potgi due to them from the collections made by them, places too much power in their hands, and it is certain that they will abuse it in the majority of cases. This option should be withdrawn, chiefly in the interests and for the welfare of the village officials themselves. The former rule laid down in Govt. Pro: No: 950-60 x of 16th Septr 1885 viz. that the Survey valuation of the Service Inam Lands should be recovered & the total remuneration paid in cash as a separate & distinct transaction, be revived".

" The Rules enjoin the levy of assessment from the share-holders due on their respective shares. The village officials in whose names the Inam lands are registered have been

in Rule I. Consequently, (103)
when the emoluments derived
from land alone are more
than sufficient to provide
the salary, an additional
Jodi equal to half the net
profit or surplus is im=
=posed. Rule XXV and the
example there given fully
show this, still I admit
that Rule XXIII might
have been more clearly
worded. No mistake in
working the Rule has
occurred in my Office
its intention being well
understood.

3 The "Quit rent" in Rule XV does not include what may be called the "Mámul Jodi", alluded to in Rule I, which is a fixed sum: it includes the amount appropriated under Rule XIX and also the additional Jodi under Rule XXIII. This Quit rent is fixed for the term of settlement. As a matter of course, a revision of remuneration after 10 years, or at any time during the currency of the settlement, would entail increased expenditure

thus saved from the troubles they suffered before, at the hands of their shareholders and no difficulty now exists in the village officials paying their dues to Govt. and receiving their remunerations in cash from Govt."

"Village officials are fined for failure of work and the fines are generally deducted from the Potgi emoluments due to them. Other Govt. officials are also dealt with in the same way & the fines imposed on them are deducted in their pay bills. This practice keeps the officials in order, and prevents failure of duty. For allowing the village officials the option of making deductions of their Potgies in the collections made by them will seriously interfere with this whole some procedure. The village officials especially the Kulkarnis, have several villages to manage and are in the habit of putting forward various pleas and shirking work, and it is highly desirable, nay absolutely necessary

to keep them to their work by punitive measures."

"The Compt.r insists on the Potgi being drawn after the close of the official year for which it is due. This will not only retard collection of the revenue due by the village officials, but also put them to much inconvenience. Most of the Patels and Shanbogues, if not the whole of them, want their emoluments being paid to them in the collection season, so that they may conveniently pay their dues to Govt. Since the official year goes beyond the collection season, there is no other alternative, under the circumstances than paying the Potgi as Revenue collection. —

For six months to be paid in January, or for 9 months in April, and then for the last quarter before the end of June or early in July. This point requires to be decided in the revised Rules."

2.9.97

Dy Commr. Bangalore —

The fines &c may be deducted when adjustments are made of the last instalment of the remittance of property worked. I do not see why these rules should produce any difficulty or cause any other mischief. Whether you receive the money in one hand & pay it with the other, or whether you allow the retention of the money, under the transactions in both the result is the same. The Comptroller cannot give any instructions which are inconsistent with those rules which have the force of law & if there are any they may be modified. Please write into this matter separately. [illegible]

(4) "Rule XXXV. In small villages where only one

of any of the existing ...
=ments of remuneration. It is ... be
simply a question of justice ... the
whether the remuneration ... 'ram
should or should not be re= ... sion
=vised after 10 years in
each case in consideration
of the increase or decrease
of the revenue of the village,
as the case may be. I have
had some applications to
have the remuneration in
villages where the revenue
has much increased revise
but I have regarded in=
=dividual adjustments as
inexpedient. There is no
diffic

difficulty however in dealing individually with exceptional cases of great increase in the revenue of any village but I think a revision once for all would be preferable and would secure uniformity. In Government Proceedings, Order No. 6154-63 R 1081 dated 21st January 1881, Para 2, a revision of re=
=muneration oftener even than once in 10 years was con=
=templated or at least suggest=
=ed

5 In Rule XXVII Hereditary Officer

office, either Patel or Shanbogue at present exists, or where both offices are vested in one person, he shall receive the full salary shewn by the Shanbogue's scale, and 50 p.c. of the Patel's salary according to scale so long as he continues to perform the duties of both offices".

"Rule XXXVI. In large villages where there is no Patel or where both offices have been vested in the same person, a Patel will be appointed by Govt., or the one family holding both offices may be called upon to nominate a separate officer for each office as may seem fit to Govt."

(5)

"Rule XXXVII. The remuneration of the officiating Patels and Shanbogues shall be fixed on the scale for each & the sum payable to each

I do not think it is advisable to allow one and the same person to be both Patel and Shanbogue (vide Rules XXXII and XXXVI)"

(1) Dy. Commr. Hassan: — "Provision of order No. 10267-75 R 1005 dated 3rd January/94 should be embodied as corollary of Rule XXXVII" —

(2) Dy. Commr. Chitaldroog: — "What

only a means to an end, namely the public Service and Should be maintained only So far as they do not impair its efficiency. The Setting up of two Revenue Patels for one village has lead to Serious difficulties in collection. The compromise in the way of one of the Patels being made a Police Patel and the other a Rev. Patel of a village has Struck at the root of unity and efficiency of even the present day poor remnant of the old village auto-nomy. Practical Experience of the State of Such villages cannot but readily convince that the institution of a dual control in petty villages already torn in most instances by factions, would have a most unde-sirable effect. In the interests of peace and integrity of village Service, it is to be earnestly-hoped that the order under reference will be reconsidered. The object of the proposed rules should be, for facilitating administration, to club together as many villages as may be easily managed and not Split up offices, more especially in one & the Same village".

the Secretary to the Government
of India to the Chief Com-
missioner of Mysore Para 2 (be
the necessity of maintaining with
the service character of these
holdings so long as the per-
formance of the service at-
tached to them was required
was laid down with con-
siderable stress. I am my-
self strongly of opinion
that their alienation would
diminish the importance
of the family and in time
reduce the Officiator to the
position of a mere Gumasta

I think it would be a pity to withdraw the prohibition against alienation of these office lands. By adopting the suggestion made by the Dewan at Para 5 of his Memo, to treat every alienation in the manner provided for relinquishment in Rule XXVII, very little additional re-venue would be obtained, for the instances in which the whole of the profit under Rule XIX has not been al-ready appropriated are very few indeed and in

the

(8) — (72)

By Commr. Mysore: —

"There are only a few of the points on which ample provisions are required. Formerly, this class of officials were generally ignorant & simple and imbued with great respect and obedience to the District officers. With spread of education and the increase of importance attached to these offices they have grown more alive to their rights, and fight very keenly for their recognition. The Rules have, in consequence, to be more clear and elaborate than when they were framed about 20 years ago, in order to secure a uniformity of practice and to prevent unnecessary litigation."

(9) —

By Commr. Chitaldroog: —

"In conclusion I may be permitted to observe that my suggestions as detailed above, have, for their object, the simplification of the rules now in force, and the removal of the many doubts and anomalies with which those rules seem beset. Besides

verbal alterations they aim at the enfranchisement of lands heretofore ~~considered~~ considered inalienable and at the fixation of the cash salaries and allowances in a manner least liable to be misinterpreted". —

Now call for no action in the bank of 80d at present
[illegible]
2.9.97

115 would be affected by withdraw-
-ing the prohibition and by
adopting the suggestion made
at Para 6 of the Dewan's
Memorandum that I would
strongly recommend no
change being made in
Rule XXXVI.

8 As regards revising
the present Rules their in-
-tention might be made a
little clearer to the uninitiated
but as regards their work-
-ing in my Office no doubt
or difficulties have occurred.
Rules XVI and XVII should
of course give place to the
Rule

116

Rule approved in Chief Commissioner's Proceedings dated 21st. January 1881.

I have the honor to be
Sir
Your most obedt. Servant
H. Grant
Suptt. Mysore Revenue Survey

(76)

Please see remarks below.

1) The main question raised is about the revision of Shantoji's remuneration after the expiry of the first period of ten years which is due in several places — This may be sanctioned at once —

2) There is a reference needed to the S. Supdt. regd. the remarks of Mr. S. Iyengar about rules 10 & 11 — This may be made, but the issue of the order reg. revision need not be delayed on this account. This order must be submitted to the Dewan before issue. This revision is a great incentive for exertion & effort to increase collection.
2.9.97 [illegible]

Draft papers
2 [illegible]
11-9-97

Submitted. The order sanctioning revision was passed by me on 31/8/96, approved by the Dewan on 2/9/96 & issued on 3/9/96 —
11-9-97

3) Please see if there are any inconsistent instructions of the Comptroller & rectify them

D No. 601.

(118)

Dy: Commissioner's Office
Bangalore, 17th/20th November 1894.

From,

Mir Shujaat Ali Khan Esqre M.C.S.
Dy: Commissioner,
Bangalore District.

To,

T. Ananda Rao Esquire,
Chief Secretary to the
Dewan of Mysore,
Bangalore.

Sir,

I have the honor to reply as follows to your Official Memorandum G. No. 174-83 dated 30th September 1894, calling for my opinion regarding the Rules about Shanbogs and Patels.

2. It is absolutely necessary that the language of the Rules should be made clearer. In their present form I have, on various occasions, tried to understand them, but I must confess that my attempts were not met with much success.

3. I am not aware how far the Government is prepared to go in

revising the Rules. If the Government is prepared for a thorough revision, I shall certainly recommend one that can offer sounder principles for its basis and a much simpler and more workable plan of operation. The present Rules, while recognising that the remuneration allowed was for services rendered and that the Government is bound to supplement it when insufficient, and is entitled to resume the excess when superfluous, provide for a share in the excess to the Inamdar who formerly, without any right to it, appropriated the excess wholly, while rendering inadequate service. Such liberality can only be justified on the principle that "Unto him that hath

Reference

		Paper No
(1)	Report from the Survey Supdt:	5
(2)	" Dy Commr. Bangalore	6
(3)	" " " Kolar	13
(4)	" Sub Div Offr. Chikaballapur	14
(5)	Dy Commr. Tumkur	3
(6)	Dy Commr. Mysore	11
(7)	" " Hassan	12
(8)	" " Shimoga	8
(9)	" " Chitaldroog	7
(10)	" " Kadur	4
(11)	I. G. of Police	16

Note

No (1) of the 2nd Councillor's order

Orders have already been issued to the Supdt. of Rev. Survey to arrange for a revision of the Potgi Settlement in Taluks in which such Settlement was made more than 10 years ago, and to report the result for orders. (vide Diary Extract of Govt. Pro: No. 2477-85 / R 908 of 3rd Sept. 1896.) as the original order is before the [illegible] in connection with the stationery allowance to Tahsildars [illegible].

No (2) Noted. A draft is submitted.

No (3) - A requisition has been sent to the Genl. Records for necessary references & a separate office note will be submitted.

The point for orders is, whether this may be submitted to the Dewan when those orders [illegible] are [illegible] & the [illegible] were called for.

Please see Paper No. 2 (a)

10/9/97

Submitted to Secretary

[illegible] 10/9/97

[illegible] 11-9-97

I have no objection to Revenue (22) being a guide but to follow it to such an extent as to be obliged to recognise minute differences is quite unnecessary. We may safely have much broader lines of demarcation. What is still better is to have a scale of salaries ranging from a maximum to a minimum and classify villages or groups of villages according to that scale on a consideration of the various circumstances that determine the duties of these Officials.

5. If the above changes be accepted, the two anamolies, which the Dewan points out in his memorandum viz: the inconsistancy between the revision of assessment of thirty years and the revision of remuneration after a shorter perio

and between power to relinquish and inability to alienate, disappear of themselves: otherwise the rules require to be changed as indicated by the Dewan.

6. There is one more point to which I beg to draw the attention of the Government. Patels are, as a rule, landholders and cultivators and are thus men of independent means. But Shanbogs are, in a majority of cases, dependent on their income as Shanbogs. If their lawful income is inadequate, they must necessarily make it up by means which are not lawful. This fact should not be ignored in determining the minimum salary of a Shanbog. At present the minimum is too low.

7. There are a few minor

78

Revenue Deptt.

General Subject No. 13.

Revision of Patgi allowance.

How does this matter stand? Please draft an order directing revision in Taluks in which the Patgi settlement took place more than 10 years ago. & submit as early as possible with all necessary references.

(Initialled) C. S.
26/8/96

80

Extract from the Journal of Proceedings Conducted at the 203rd Meeting of Council Bangalore, 27th March 1900

* * *

2. That the draft of certain modifications of the rules for the remuneration of Patels and Shanbogues be approved and submitted to the Government of India for final sanction.

* * *

(Sd) K. Sheshadri Iyer
Dewan - President

Extract

[initials]
3/4/1900

To.

~~Legislative~~ Rev Branch

55
Draft
3/4/00

87

Submitted -

In publishing Rules &c it is not usual to ~~follow~~ insert in the Notification the preamble adopted in the case of Regulations & Enactments - Please see the Village Sanitation Rules, and Rules under the Arms Regulation & the Govt of India Notfn No. 518 17/5/1899, herewith put up for perusal.

Only copies available in the Leg. Branch

In the preamble of the Notfn: to be now printed the words "with the approval of the Govt. of India Conveyed thro' the Resident in Mysore", have been added subject to approval -

A press copy of the order is accordingly submitted for approval & signature -

88.

Submitted to Secretary with 27 (?) orders.

21/8/00

(2)

8 (1)

Col. Memorandum Cir. 7/1 - 83
of 30/9/94

Camp Nyeri
of 30 Sept 94

Attention is drawn to the annexed copy of the ... memorandum dated 4 July ... on Rules regarding the remuneration of ... and ... the ... is requested to ... his opinion on the questions raised therein.

2. A revision of the existing Rules is under consideration. Government will be glad to receive any suggestion as regards such revision ... the duties ... have to ...

By order

Print — Camp

[illegible]

Camp No. 174–83.

OFFICE OF THE DEWAN OF MYSORE,
Dated Mysore, 30th September 1894.

Official Memorandum.

Attention is drawn to the annexed copy of the Dewan's Memorandum dated 4th July last on Rules regarding the remuneration of Patels and Shanbhogs, and the Superintendent of Revenue Survey and Settlement in Mysore is requested to be good enough to furnish Government with his opinion on the questions raised therein

2. A revision of existing Rules is under consideration. Government will be glad to receive any suggestion as regards such revision which the Superintendent of Revenue Survey, the Inspector General of Police and the Deputy Commissioners of Districts, may have to offer.

By Order,

Chief Secretary.

To—The Superintendent of Revenue Survey and Settlement in Mysore.
The Inspector General of Police in Mysore.
The Deputy Commissioners of Districts.

Exd.—M. V. N.

1894.

GOVERNMENT OF MYSORE.

OFFICIAL MEMORANDUM.

Dated 30th September 1894.

Camp No. 174-83.

Requesting the Superintendent, Revenue Survey, the Inspector General of Police and Deputy Commissioners of Districts to give their opinion on the accompanying copy of Dewan's Memorandum dated 4th July last, on Rules regarding the remuneration of Patels and Shanbhogs.

Commissioner's letter to the Government of India, Foreign Department, No. 328-9 R dated 11th April 1874).

4. Rules I, II and III lay down in effect that the cash allowance if any plus the difference between the full survey assessment of service Inam lands and the quit-rent which is being paid thereon, shall be taken to be the present emoluments of the Office. These are clear and simple enough and seem to require no alteration.

5. Rule IV lays down that in lieu of such emoluments, the Officiator shall hereafter receive a cash salary. The object of Rules XVIII to XXIV is simply to lay down that the existing emoluments shall be withheld so as to enable the Treasury to reimburse itself for the cash salary. An exception has been made where the emoluments derived from land exceed the cash salary in which case one half of the difference will be allowed to the Officiator by way of deduction from the survey assessment leviable on the Service Inam. As

observe

observed by the Dewan, section XXIII which relates to this exception, is incorrectly worded. It appears to me that Rules XVIII to XXIV are unnecessary and may be dropped altogether. The object of the scheme is the substitution of one kind of remuneration for another. Where then is the necessity for framing a large number of rules for the mere purpose of explaining how the Treasury will reimburse itself for the payment of cash salaries? The object is fully attained by adding at the beginning of Rule IV the phrase "In lieu of the existing emoluments which shall be discontinued," and by inserting a proviso as follows at the end of that Rule: "Provided however that where the existing emoluments derived from land exceed the cash salary of the officiator as fixed in manner following, one half of such excess shall be allowed in addition to the cash salary, by way of deduction as Jodi from the full Survey assessment levied on such land."

6. The scale of salary has been

(10)

~~I would like to have Col. Grant's~~

Has any revision of Salaries been effected without increasing the total payts. levied from Service Inam lands? In what Talukas and with what loss to the Treasury owing to ~~disregard~~ ~~by~~ unlevied increase, justly leviable from Service Inam lands in each Taluk? I shall feel obliged for any information Col. Grant can give me upon these points.

5). Rule XXVII is not very clear. Of course "Hereditary Officer" in this Rule ~~means~~ includes a Sharer & Officiator. What is the "Jodi tax" ref to in this rule. Is it Col 3 or Col 8 of Rule XXV.

It is evident these rules which have the force of law sh^d. be carefully revised with proper definitions of terms used.

6). ~~At~~ Rule XXXVI ~~bars~~ prohibits ~~alienations of~~ strict enforcement of the Gov. Notn. of 11 Sept 1835. The date of this Notn. is elsewhere stated to be 9th Sept 1835 - Vide p. 86 of the Rev. Manual. This sh^d. be ~~[illegible]~~ verified.

This Notn. among other matters prohibited alienation of Service Inams. What is the object of such prohibition when under Rule XXVII the hereditary Officer can relinquish it & when under Rule XXVIII, the Service land is to form no part of the Officiator's Salary

(4)

Prescotts' first Draft in express terms – The final Draft adopted exactly the same provisions by the unsatisfactory means of Rule XXXVI

8). I have very carefully considered the large question the substitution of 'land' for 'Cash' Emoluments contemplated in Progs of 16 Sep 1885 and have come to the conclusion that such a change is undesirable

4 Jany 94 – K[illegible]

P.S. ~~In case~~ For the calculation of the Gross Rev for the purposes of these rules the ~~[illegible]~~ Rule approved in C G Progs of 21 Jany 188[illegible] sh^d be entered in lieu of Rules XVI & XVII, in the ~~[illegible]~~ revision now proposed

(134)

assessment on unoccupied land, cannot possibly come up to, much less exceed, the gross assessment of the Village. What then can be the meaning of the phrase "but not thereby exceeding the gross assessment". Lastly it strikes me that 10 per cent is too little. I would meet the foregoing objections thus:-

In Rule V, I would substitute "gross revenue" for "gross revenues" and "Collections".

I would throw into a single Rule, Rule XIII and the new Rule which has taken the place of Rules XVI and XVII. The Rule to be thus framed may read somewhat as follows: "The gross revenue of the Village referred to in Rules V and VI, shall mean the full survey assessment of all occupied Government land irrespective of remissions, plus 20 per cent of the full survey assessment of all unoccupied assessed Government land, as recorded in the village accounts of the year in which the

Police

Potigi settlement or revision of such settlement shall take place."

The language of Rule V is not quite correct. For "of two Rs: when the gross revenue ranges from Rs: 51 to 300; or of so much of it when," I would substitute "of two Rs: when the gross revenue ranges from Rs: 51 to Rs: 250; and of so much when:".

It is not clear why villages with a gross revenue of less than Rs: 51 have been denied the benefit of the additional allowance. Likewise, I cannot understand why the Shanbogue has been denied the concession which has been granted to the Potel. I think both ought to be treated alike. I would amend Rule VI accordingly.

7. Rules IX to XII provide for certain additional concessions.

Of these, Rule IX seems to require a slight verbal alteration. What is the fixed portion of the officiator's allowance? The addition contemplated by

Rules

Submitted to the Revenue Commissioner.

15th August 1894.

Seen

18/8/94

Send this to the Supt of Rev Survey and ask for his opinions on the questions raised here - Add that a Revision of the Rules is under Consideration & ask for any suggestions he may wish to offer. Also ask for any suggestions the Insp Genl of Police & Dep Commrs may be able to make as regards the proposed Revision

7/9/94

45 spare copies submitted herewith 7.9.94 -

Rd 21.12.94

542

MEMORANDUM.

Rules regarding the remuneration of Patels and Shanbhogs.

1. The settlement of the Pateli and Shanbhog Service Inam lands effected under the Notification of 27th October 1874 is not an "enfranchisement" of the same. Such an "enfranchisement" was proposed by Colonel Meade (*vide* para 15 *et seq.* of his letter to Government of India, dated 11th April 1874), but was finally abandoned (*vide* para 2 of Government of India letter, dated 0th July 1874).

2. The settlement effected is as follows:—

1st. Full survey assessment is fixed for Service lands (in the possession of the Hakdar, one or more) and any existing quit-rent already paid upon them is deducted therefrom and the balance is regarded as "Profit;"

2ndly. "Profit" is subjected to a further payment (or additional taxation) to reimburse the Treasury for the "Salary" of the officiator; and

3rdly. If the "Profit" is *more* than the payment on account of "Salary," one-half of the difference (or 'Net profit') is charged on the lands by way of an additional Jodi.

Thus the Service lands are subjected to payments of the original Quit-rent, if any, of the officiator's 'Salary' in full within the limit of the 'Profit,' and of one-half the 'Net profit,' *if any*.

3. If the above interpretation is correct, Rule XXIII of the Notification of the 27th October 1874 is wrongly worded, for it prescribes the levy of an additional jodi equal to half "the Profit" and not half the "Net profit" as above defined.

I would like to have Colonel Grant's explanation on the above point and a description of the manner in which he has been carrying out Rule XXIII.

4. Again in Rule XV it is said that the amount of "Quit-rent" fixed on the holding of each share-holder is fixed for the term of settlement but that the amount of the officiator's Salary will be revised once after ten years. This rule was adopted at the suggestion of the Government of India and against the views of the Survey Commissioner. (*Vide* Chief Commissioner's letter to Government of India, dated 27th October

1871, para 3, and Survey Commissioner's letter, dated 12th August 1874, para 2.)

What does the Survey Superintendent understand by "Quit-rent" in this rule? Is it any original "Quit-rent" paid by the Service Inam? If so, it is not liable to revision. On a revision, the full Survey assessment and therefore the 'profit' may be more, but the original quit-rent is a fixed sum. "Quit-rent" in Rule XV can reasonably mean only the sum total of the payments described in para 2 above. If this is accepted, any revision of remuneration after ten years will subject the Treasury to a loss, for we shall merely increase the salaries paid from the Treasury and not levy the equivalent of such increase from the Service Inam lands. Has any revision of salaries been effected without increasing the total payments levied from Service Inam lands? In what Taluks and with what loss to the Treasury in each Taluk on account of unlevied *increase*, justly leviable from Service Inam lands? I shall feel obliged for any information Colonel Grant can give me upon these points.

5. Rule XXVII is not very clear. Of course "Hereditary Officer" in this rule includes a sharer and officiator. What is the "Jodi tax" referred to in this rule? Has it reference to Column 3 or Column 8 of Rule XXV? It is evident these rules which have the force of law should be carefully revised with proper definitions of terms used.

6. Rule XXXVI prohibits strict enforcement of the Circular Notification of 11th September 1835. The date of this Notification is elsewhere stated to be 9th September 1835. *Vide* page 86 of the Revenue Manual. This should be verified.

direct

This Notification among other matters prohibited alienation of Service Inams. What is the object of such prohibition when under Rule XXVII the hereditary officer can relinquish it, and when under Rule XXVIII, the Service land is to form no part of the Officiator's "Salary."

The prohibition of alienation in the general terms of Rule XXXVI would have the effect of rendering every 'alienation' invalid. Under our present system, there is no object whatever in providing for this result. It will be sufficient if the Government treated every "alienation" in the manner provided for "relinquishment" in Rule XXVII. We do not want to deprive the alienee of the alienated land, though he can be deprived of it under a strict enforcement of the Rule. We only want to charge full assessment on

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between Rs: 500 and 1000? Are the Officiating Potels and Shanbogues thereof, to be given no additional allowance whatever? If so, Why? Now let us take a Village with a gross revenue of Rs: 500, the Potel of which hitherto used to enjoy emoluments amounting to Rs: 20. Under Rule V he will hereafter get a Cash salary of Rs: 15 while under Rule X he will get the whole of the difference of Rs: 5 as an allowance. In all he will get his usual 20 Rs and will be no loser by the introduction of the new scheme. Let me contrast this with another Village with a gross revenue of Rs: 600 and with present emoluments valued at Rs: 25. Under Rule the Potel thereof will hereafter get 18 Rs: while under Rule X he will get nothing extra. His future income will thus be Rs: 18 only or 7 Rs less than his existing emoluments. In other words the Potel of a Village with a larger gross revenue and larger existing emoluments, will get less hereafter than the Potel of a Village with a smaller gross revenue

revenue and smaller existing emoluments. Does this stand to reason? I think not.

Again, the word "difference" is not the correct word to use here. Ordinarily it signifies either an excess or a defficiency. What is really intended to be conveyed is "excess."

Lastly comes the question:- whether such allowance is to be given in addition to the remission granted in the shape of Jodi of half the excess or net profit under Rule XXIII. To answer this in the affirmative would be to subject the Treasury to an unnecessary loss. Let us:- suppose that the difference is Rs: 5/. The whole of it is paid as an allowance under Rule X, and yet one half of it is also deducted as Jodi from the survey assessment of the official land. Thus the charge on the Government will be fifty percent more than the difference. Why should it be so? I think the object is simply to compensate the officiator for actual loss. If the salary as per scale is more than

it in the hands of the alienee, making corresponding deductions in the total payments leviable on the Service Inam.

This is what Government has done in some recent cases and it should continue to be done, as it is perfectly legal for Government not to enforce the full penalty of actual resumption of land by eviction of the alienee. But the rule itself should be modified.

7. Rule XXXVI is general in directing the enforcement of the Notification of 11th September 1835 and therefore it has the effect of laying down that—

(*a*) the Village offices are, as a general rule, to be considered hereditary and to be enjoyed by father and son in succession ;

(*b*) if in any case, the hereditary claimant to the office is found unfit or unworthy from incapacity or bad character, his claim may be rejected, another person properly qualified being appointed, preference being given to a near relative of the Mirasdar ;

(*c*) where the office is held by two or more Co-parceners or Sharers, they shall all jointly and individually be responsible for the due and honest discharge of its duties, on the penalty of the forfeiture of the right on the proved misconduct of any one of the joint partners.

When revising the present rules, some express provisions to the above effect should be made in it. Such provisions existed in Colonel Prescott's first Draft in express terms. The final Draft adopted enacts the same provisions by the unsatisfactory means of Rule XXXVI.

8. I have very carefully considered the larger question of the substitution of 'land' for 'cash' emoluments contemplated in Proceedings dated 16th September 1885 and have come to the conclusion that such a change is undesirable.

K. SHESHADRI IYER.

4th July 1894.

P. S.—For the calculation of the Gross Revenue for the purpose of these rules, the Rule approved in Chief Commissioner's Proceedings, dated 21st January 1881, should be entered in lieu of Rules XVI and XVII, in the revision now proposed.

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(General Serial No. 30.)

1894. 5-372

From
The Dy Commissioner
Kadur District

LR56-94-4

To

The Chief Secretary to the Dewan
of Mysore.

Dated 28th

Despatched 30th October

Received

Enclosures No.

General No. 230 } 1894-95.
No.

Submitting opinion on Dewan's Memorandum dated 7th July last, on Rules regarding the remuneration of Patels and Shanbhogs

R 1/11/94

Ref 1/11/94

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seems to exclude cases coming within the scope of the other. If as defined in Rule XI, "large" means "exceeding the salary of the Officiator as fixed by Rule V or Rule VI", many an officiator will be entitled to the benefit of both these Rules, as well as to that of Rule XXIII. Rule X as it stands will have dealt with most of the cases contemplated by Rule XI, while its amendment as proposed by me will have dealt with all such cases. Where then is the need for Rule XI? Is an Officiator to have a threefold compensation for a single loss? I would omit Rule XI altogether.

8. Rule XV. As observed by the Dewan, the expression quit-rent used in this Rule is incorrect and apt to mislead. What is meant is the full survey assessment minus the old quit-rent if any and the new jodi under Rule XXIII. This ought to be clearly expressed in unequivocal language.

I do not however think that the revision of the Poligar

once

once in 10 years will really subject the Treasury to any heavy loss. At such revision, the officiator will simply get an increase to his salary in proportion to the assessment of the lands newly brought under cultivation since the date of the last Potigi settlement. To compensate in part at least for such extra payment, the Treasury gets the difference between the full survey assessment of such additional lands, and the assessment which would have been fixed thereon but for the absorption of the Aya or grain dues into the survey assessment. (Vide para 4 of the Chief Commissioner's letter to the Survey Commissioner No. 4127-R.134 dated 12th November 1870, and para 21 of the Chief Commissioner's letter to the Government of India No. 328-9R dated 11th April 1874.

Increase of work coupled with the loss of Aya on lands newly brought under the plough, seems to be a sufficient justification for

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Deputy Commissioner's Office,
Kadur District.
Chikmagalur, 28th October 1894.

From
The Deputy Commissioner,
Kadur District

To
The Chief Secretary to the
Dewan of Mysore

Sir,

In reply to the Official Memo. Camp No. 174-183, dated 30th Ultimo. asking for the opinion of the Deputy Commissioners, regarding the present existing Rules for the remuneration of Patels and Shanbhogs, I have the honor to state that I am of opinion that the present system of making Cash payments to Patels and Shanbhogs should be continued, and that all such present Service Inam lands on which full assessment has been imposed should be treated

in every respect as Government lands leaving them in the names of the persons now occupying them.

2. I would recommend this for the following reasons:- Supposing that an Inam land is shared by different Hissedars, like other family property, and that some of these Hissedars failed to pay their Kandayem, the Government are unable to proceed against the land, it being a Service Inam; neither can they force the Patel or Shanbhog, as the case may be, to pay up the arrears of Kandayem.

3. Should it be decided to make cash payments instead

the same, so as to enable it to pass to a new Officiator who may be appointed in supersession of the hakdar's family. Such new officiator will, in many cases, thus get less than what he is really entitled to for the performance of the duties of the Office. That being so, it is not clear why the land should pay a Jodi only, instead of full assessment and why it should continue to be inalienable. Its complete enfranchisement by the imposition of full survey assessment and by the removal of the interdiction against its alienation would result in the cessation of the several complications which now exist including the one to which Rules XXV and XXVII frequently give rise.

13. Rules XXX and XXXI coupled with the Rules framed under the Revenue Regulation, provide for nearly all the points noticed in para 7 of the Diwan's

Memorandum

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Memorandum. But the instruc-
-tions recently issued by Govern-
-ment, in Proceedings No:
10267-75, R1055 dated 3rd January
1894, have superceded some
of the Rules already in force.
For easy reference therefore,
a few simple Rules as regards
succession, qualifications,
removal, responsibilities &c,
may not be out of place in the
revised Poligar Rules.

14. Rule XXXVIII. What is the
significance of the sentence "The
remuneration of the Offg: Potels
and Shanbogues shall be fixed
on the scale for each."? Does it
mean that the Potel shall draw
pay according to the scale
laid down for him and the
Shanbogue according to that
prescribed for him?. In other
words does it mean that the
scale fixed for one does not
apply to that laid down for
the other? If so, this is self
evident and there is no necessity
whatever

of land grants as remuneration for Government Service, I would beg to recommend that the present restriction now laid upon the Inam Service lands, relinquished in favor of Government and granted to others be withdrawn: the said restriction being that the land is given over to other than the Inamdars on the condition that they should give it back when required, which course has been pursued in this District since the receipt of the Govt. Proceedings, Camp No. 250-60 dated 8th September 1885.

I have the honor to be,
Sir,
Your most obt. Servant
H. H. Sparks
Actg. Deputy Commissioner
Kadur District

No 286

Survey Superintendent's Office
Chhindwara 6th November
1894

To

The Chief Secretary to the
Dewan of Mysore

Sir,

As requested in your un-official Memorandum Comp. No. 174-83 dated 30th September 1894, I have the honor to offer my opinion on certain questions connected with the remunerations of Patels and Shanbogs as fixed under Notification of 27th October 1894, raised by the Dewan in his Memorandum dated 4th July last.

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(8)

Dy Commissioner's Office
Shimoga District.

No. 630 (150)
490

Dated, Camp Basapatna, 21st 23rd
January, 1895

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

In reply to your official memo:
=randum, Camp No. 174-83 of the 30th
September last, I have the honor to
Submit the following suggestions for the
Consideration of Government.

2. Dewan's memo. para 6. The
Notification is also quoted in the Chief
Commissioner's General Circular No. 5
of 1872-73, para 4, printed on page 269
of the Revenue Manual. The typo=
=graphical error may be corrected in
the Revised Rules.

3. Since the village Inam lands
have been fully assessed and the holders
thereof permitted to relinquish them
at will, no object is gained by
retaining them as Inam lands. They
may well be removed from the Inam
Register, and made liable for the

assessment due thereon in Common
with the other Government
occupied or unalienated lands.

4. Government Proceedings No
322-9 / 3288-92 of the 7th July last must
necessarily give room, I submit, to
various malpractices on the part of
the village Officials to whom the
benign Government intend to shew
indulgences. The option allowed them
of deducting Potgi due to them from
the Collections made by them, places
too much power in their hands, and
it is certain that they will abuse
it in the majority of cases. This
option should, I respectfully submit,
be withdrawn, chiefly in the interest
and for the welfare of the village Officials
themselves. The former rule laid
down in Government Proceedings
No 950-60 of the 16th September/85
Viz that the Survey valuation of the
Service Inam lands should be recovered
and the total remuneration paid in
Cash as a Separate and distinct

2. The wording of Rule might certainly be clearer but its working is quite understood in my Office. The "Jodi" in the last line but one of the Rule in question means, for the purpose of the Rule, the old Jodi recorded in the accounts in the year of remuneration settlement + the addition to that old Jodi by appropriation for payment of Officiator out of profit as defined

in

expenditure to Government, pro-
portionate to the increase in
cultivation and consequently
in revenue which had taken
place, and there would certain-
ly be no means of getting
the equivalent by increasing
the Quitrent on Service
Inams excepting in a few
instances in which the un-
appropriated excess or sur-
plus under Rule VIII might
be appropriated to make
up the increased salary of
the Officiator. These instances
are scarcely worth taking
into account as they would
be

be few. It may be accepted that a revision of remunerations, considering the way cultivation has spread and is spreading in Allygave, would entail increased expenditure on Government. The villages in which cultivation has fallen off and in which the salary would be reduced would be very few indeed.

4. The 10 year period laid down in Rule XI has not yet fallen in, in the case

of

Gen. Serial No. 31.]

(9)

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R 2737

1894-95

(155)

From

The Deputy Commissioner
Hassan District.

To

Chief
The Secretary to the
Dewan of Mysore.

Dated 6th
Despatched "
Received
} February 1895

Enclosures—No. "

General No. 539 / *No.* 5 of 1894-95

His docket No 10584-8 / 1585 of the 22nd ultimo.

Camp No. 174-83 dated 30th September last with a copy of the Dewan's memorandum dated the 4th July 1894 on Rules regarding the renumeration of Potels and Shanbhogues referred to in the Docket under reply is not received in this office. Requests therefore that a copy of the same may be forwarded for submission of suggestions on the revision of the rules.

H Chandrasekhara
For Dy Commissioner
Hassan District

Rd 9/2
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Xud
LR 56-94

Officer includes Officiator as well as others. The Jodi tax is that noted in Col: 8 of the illustration under Rule XIV. I do not think there is a point upon which any doubt, in practice, has been experienced. Resignations must of course be of whole Survey Numbers only.

6 I have no means of verifying the date of the Circular Notification of September 1835. It has al=

=ways

No. 863

(157)

(10)

Deputy Commissioner's Office,
Mysore District,
Dated Mysore 18th/23rd February 1895.

From,

A. Rangasami Iyengar Esquire
Deputy Commissioner

To,

The Chief Secretary to the
Government of Mysore

Sir,

I have the honor to acknowledge your official memorandum - camp No 174-83, dated 30th September, 1894, about the revision of the Rules regarding the remuneration of Patels and Shanbhogs.

2. I assume that it is unnecessary for me to refer to the defects in the Rules alluded to, in the Dewan's Note, as the Superintendent, Revenue Survey, has been invited to offer his opinion upon them. I beg however to suggest that the existing law regarding the emoluments in land are complicated, and difficult to work in practice, and that it is desirable to simplify it, before a revision of these Rules is attempted.

3. The question whether the remuneration should

should be entirely in cash, or consist wholly, or in part, of emoluments in lands, has been discussed most elaborately in the Correspondence on this subject. Opinions being divided, a middle course was adopted, on considerations of expediency confirming the land emoluments only so far as the existing service Manyams were concerned. The existing Inams were reckoned at their Survey valuations, and cash payments were provided wherever they were found inadequate. And when such value exceeded the Potgi due, according to the scale, a partial jodi was collected. The question was further complicated by the fact that the Inam lands were not all in the occupation of the officiator, or his family, and further rules had to be framed to bring them under contribution for making up the remuneration required. This middle course is thus neither logical nor simple. And though the rules strictly provide against the alienation of the Service Inams, they have been practically evaded in various ways and the village

ways appeared in the 11th September 1805 in such corres-pondence as I have seen.

The prohibition of the alienation of the Service Inams under question, has always been en-forced in the Bombay Presi-dency, such prohibition being doubtless considered as cal-culated to maintain the status and increase the importance of the family and Office. In letter No. 144 of the 10th July 1874 from

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the want of a revision of remuneration they would be still fewer. There are, in other words, very few Service-Inams of the kind under discussion upon which the full amount of assessment is not being already paid to provide the pay of the officiator.

7. The Dewan's Memorandum appears to me to be aimed chiefly against any revision of the remuneration after 10 years as laid down in Rule XV, as calculated to cause great additional expense to Government and also against

the greater reason for putting an end to this anomaly. If this view is adopted, the rules will admit of a very great simplification.

5. If this however be considered too violent a change, and it should be decided to continue the present system, it is highly desirable that the lands or at least so much of them as are in the enjoyment of the present village officers or their undivided families, should be distinctly constituted and declared as the personal service Inams of the officiating village officers only so long as they hold the office and that an acknowledgment should be taken every year from them, that they are in sole enjoyment of such lands, and that they hold themselves liable to hand them over intact to their successors in office. The lands which are in the possession of other sharers or third parties should be treated as alienated Inam and should be assessed fully* or partly

according

according as it may be decided to deal with them.

6. The scale of Potgi now obtaining is in my opinion sufficient to provide ample remuneration for services rendered in the case of all but the very small villages. The remuneration now paid to the Shanbhogs and Patels of these villages, is but a poor pittance and it is desirable to fix higher minimums than under the present rules. No Patel or Shanbhog can be expected to perform all the duties appertaining to his office, whatever the size of the village may be, when his Potgi is only a few rupees. Ten rupees is as small as it can be for a Patel and any thing less than Rs 15 would be too small for a Shanbhog, and these may be fixed as the least that shall be paid to any officiator. I am unable to say what would be the financial effect of the adoption of these minimums, but it is not likely to add much to the total cost. If necessary the extra charge entailed by this change may be

against retaining the prohibition to alienation under Rule [illegible]

As regards the first of these points the Survey Commissioner's suggestions contained in Para 2 of his letter No. 1270 of the 12th August 1874 might be adopted and revision of remuneration only be taken up in villages the revenue of which has very materially increased, say 50 per cent.

As regards the second point I think that so little saving would

(General Serial No. 30.) 189 . 65-95 22 R/848

From

The Dy. Commissioner, Bangalore District

To

The Chief Secretary to the Dewan of Mysore.

Dated 17th Nov./94.

Despatched 20th. Do

Received

Enclosures No.

General No.

D No. 601.

In reply to Sec: Memo: G. No. 74-83 dated 30th September 1894.

SUBJECT.

Submitting opinion regarding the Rules about Shanbogs and Patels.—

Rec: 22-11-94

References (to be entered only in the Dewan's Office).

LRB-94-6

26.11.94

the offences which would entail the dismissal of a village official, and deprive the members of his family of the right to succeed to the office.

11. These are only a few of the points on which ample provisions are required. Formerly, this class of officials were generally ignorant and simple, and imbued with great respect and obedience to the District Officers. With spread of education and the increase of importance attached to these offices, they have grown more alive to their rights, and fight very keenly for their recognition. The rules have in consequence, to be more clear and elaborate than when they were framed about 20 years ago, in order to secure a uniformity of practice and to prevent unnecessary litigation.

I have the honor to be,
Sir,
Your most obedt Servant

Krishna Iyer

For Dy: Commissioner,
Mysore District.

Comp d:
[illegible]

more shall be given" If past services required the liberality it was needed in the case of the persons that formerly received inadequate remuneration more than in the case of those that rendered inadequate service if long tenure needed it all office-holders were entitled to it alike. The present settlement is, I understand, not final and permanent, as the Government has the right to resume the land in the event of its alienation out of the *Inik* family. If the Government is prepared to deal with these Inams in a more equitable manner I shall recommend their being charged with the full Survey assessment subject to the proviso that if such lands be at the time of such revision, in the

possession and enjoyment of the Hakdars, a certain percentage should be deducted in token of long tenure. I would not make any exception as now in favor of men already favored.

4. I do not quite understand the object of the elaborate scale based on Revenue. The amount of work which a Patel or Shanbog has to do, cannot be gauged solely by the amount of Revenue. Revenue is certainly one of the tests, but is, by no means, the only test. The extent of the land, the number of khates, the number of houses, the number of Survey numbers, the number of Shikmidars and various other things combine to determine the work of Patels and Shanbogs.

held by them.

(168)

III. Rule XIV may be modified. The permissive provision is very mischievous in practice. Direct payment from Treasury is to be preferred and entire collection should be remitted to the Treasury. Or the Patel may be authorized to disburse it to the Shanbhog as the Patel keeps all the collections only from the amount of the last instalment.

I have the honour to be
Sir
Your most obedient Servant,

[signature]

Dy Commissioner
Hassan District.

points of administration about which the rules are silent or vague or defective. It is not clear whether the rules recognise the succession of several Patkdars by rotation. If they do, it is a serious mistake. Change of hands removes the sense of responsibility to a great extent and relaxes our hold on the men. A man once chosen should, I think, remain in Office until death or resignation or dismissal removes him which is in fact the existing practice in the Bangalore District.

8. Similarly it is not clear whether it is the Deputy Commissioner or the Patk family that has to nominate a Patkdar to a vacancy by death (Vide Rules XXX, XXXI and XXXV). It would be extremely inconvenient to vest the family with this power.

9. The last sentence of Rule XXX is, to my mind, capable of no interpretation that can be justified on any principle. Similarly the express use of the word "Son" in Rule XXXI excludes other heirs from the operation of that clause. The object being to make the punishment real, the man punished and every such heir as is subject to his influence, should be excluded.

10. I do not think it is advisable to allow one and the same person to be both Patel and Shanboy - vide Rules XXXIV and XXXV.

11. While it is necessary that the Patel should ~~live~~ live in his Range, it is not so absolutely necessary that a Shanboy should do the same provided he lives not far. A Brahmin can hardly live where he can find no other Brahmin. The rule is

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the existing quitrent and the amount appropriated to provide the salary of the Officiators. The wording of the Rule requires to be corrected accordingly.

Para 4 of Do- Do.

"Quit-rent" in Rule XV means I think the "Future Jodi cess" being the sum of Columns 3, 5 and 7 of the table under Rule XXV.

In the revision of the remuneration of Patels and Shanbhogs directed by the aforesaid Rule XV, the increase and decrease of revenue are alike taken into consideration though decrease is expected only in exceptional cases but equity requires that we should be fair to both parties and Government should be guided by a principle. I would therefore advocate the revision of quit-rent also along with the emoluments of the Officiators.

Para 5 of Do- Do.

The Jodi tax referred to in Rule XXVII seems to represent

th-

(178)

the sum mentioned in column 8 of the table under Rule XXV.

Para 6 of do - do. There is no object in prohibiting alienation of the Service lands which the hereditary Officer is at liberty to relinquish under Rule XXVII and which under Rule XXVIII are to form no part of the remuneration of the officiator. I would therefore strongly recommend a modification of the rule so as to permit the alienation with the consent of all the Co-sharers interested, of any entire field or fields into which official land may have been marked off by the Survey. The reduction of Jodi tax fairly claimable by the hereditary Officer relinquishing or alienating the land is not to the extent of the full amount of the Survey assessment of such land but only an amount which bears to the entire Jodi tax the same proportion as the Survey assessment of the relinquished or alienated field or fields bears to the Survey assessment of the entire holding of the hereditary Officer.

more or less a dead letter. Even in the case of patels it sometimes leads to lying. I know of more than one patel living out of his range under circumstances which cause no inconvenience. I give an extreme instance. There are two villages side by side forming two streets; the patel of one of them lives in the other which is a violation of the rule. We cannot force him to give up his family house and he is the best man available. I think it is as well to make the rule a little more elastic and give discretionary power to the Deputy Commissioner.

12. At this stage of the enquiry I think I need not go into more detail.

I have the honor to be,
Sir,
Your most obedient Servant,
[signature]
Dy. Commissioner
[illegible]

(General Serial No. 90.) (7) 7529

1894. R 2185

From The Deputy Commissioner Chitaldroog District

To

The Chief Secretary to the ~~Dewan~~ Government of Mysore.

Dated Chitaldroog, 3rd December 1894.

Despatched

Received

Enclosures No.

~~General~~ Camp No. 56.

No.

In reply to

SUBJECT.

Submitting the suggestions as regards the proposed revision of the Polige Rules.

LR56-94-7

R

16/12/94

References (to be entered only in the Dewan's Office).

R
19-12-94

(3) 8

No. 50 of

Deputy Commissioner's Office
Chitaldroog District
Camp Hosadroog, 13th December
1894

Ho

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your official Memorandum Camp No. 174-83 dated 20th September last, calling for suggestions as regards the proposed revision of the Patel Rules on the lines indicated in the Dewan's Memorandum dated 4th July last, I have the honour to submit the following remarks:—

2. The Rules now in force are of an exceedingly complicated character and cannot be easily understood. A few of them further seem to be irreconcilable with one another. An attempt at simplifying the

11 poond

the rules and removing all doubts and uncertainties, may, in my humble opinion, be advantageously and successfully made. What is really required is a few simple rules which can be correctly interpreted without any difficulty.

3. Formerly, Potails and Shanbogues used to be remunerated (1) in land, (2) in cash in some cases and (3) in Aya or grain payments. All these sources of income have now been abolished in Talooks to which the Village Settlement has been introduced. In lieu thereof, these officials now receive a cash salary from the Treasury. The scale of these salaries has been fixed. The Treasury reimburses itself for such payment by (1) assessing the official land (2) stopping the old cash payments wherever they existed and (3) abolishing the Aya and virtually adding it on to the Survey assessment which but for such abolition would have been much less (vide para 21 of the Chief Commissioner's

No. 350

13/a

Sub Division Office
Chickballapur
Dated 26th April 1895.

From

The Sub Division Officer
Chickballapur.

To,

The Deputy Commissioner
Kolar District

Sir,

With reference to your no 1378-88/880 dated 11th October last calling for suggestions on the Dewan's memorandum on the Rules for the remuneration of Patels and Shanbhogues I have the honor to state that the entire Rules appear to be very inartificially drawn up and to require to be thoroughly re-written in doing which I think it will be possible to reduce some of the more complicated rules to simpler and more intelligible form.

2. With reference to the first point noticed namely Rule XXIII relating to what is known as "soot," I beg to state that it appears from the Statement of Paka Potgi Settlement furnished by the Survey Department to the Taluq Cutcherri that the additional Jodi is charged in the shape of a moiety of the net profit or the balance of the valuation, after deducting from

it the old jodi, if any, and the new jodi imposed to reimburse the Treasury in paying the remuneration fixed. By the expression in Rule XXIII "the jodi payable thereon" seems to be meant the sum of the old jodi ~~impost~~ + the new jodi impost. Cases in which jodi had been charged before the Potgi Settlement on Service Inam Land, are, however, rare so that practically the "soot" means the moiety of the difference between the Survey Valuation or assessment and the Potgi or remuneration fixed under the Rules.

3. The term "Quit rent" is for the first time introduced in Rule XV and it occurs nowhere again. It appears to be equivalent to the expression jodi or combined jodi payable under Rules XIX and XXIII. In Rules I and XXV another expression "Other Cesses" finds place. It would be better that some other term not liable to be confounded with local and irrigation cesses, which I presume it is not intended to include, should be substituted.

4 The object of ~~the~~ Rule XXVII was not to reduce, in case of relinquishment of part of Service Inam, the advantage or profit the holder used to derive

been given by Rules I and II. The following words intended to mean the same thing occur in the first of these Rules: "the gross revenue"; "it"; "gross revenue"; and "the collections". In the other rule the only expression used is "gross revenue". In Rule XIII the term "gross revenue" has been defined as "the whole revenue leviable for any year before deducting remissions". Then comes the new Rule which stands as a substitute for Rules XII and XIII and which lays down the basis of calculation. Several objections suggest themselves to me in connection with these four Rules. The several expressions used in Rules I and II are not synonymous. In an important matter of this kind, there ought to be no uncertainty. Coming to Rule XIII the question arises what is "the whole revenue leviable for any year". "Any year" is evidently intended to mean the year of the Poligar settlement or of a revision of such settlement.

Otherwise

Otherwise the salary must necessarily fluctuate every year in the same way as the gross revenue on which it has to be calculated. Then again, the whole revenue leviable cannot and does not include the extra per centage allowed on the assessment of un-occupied land. The definition is thus not strictly accurate. For an elucidation of the term "gross revenue" used in Rules I and II, we have therefore to refer not to Rule XIII alone but also to the new Rule which has superseded Rules XII and XIII. In other words, Rule XIII which professes to define the "gross revenue" for the purposes of Rules I and II, does not really fulfil this mission without the aid of another Rule which it does not acknowledge. In the latter Rule too, there seems to exist an anomaly. The full assessment on all occupied land plus 10 per cent of such assessment

I have in every possible case that has come before me induced Shanbhogs and Patels to relinquish their Service Inam lands and take them back on occupancy tenure. Nor did I meet difficulty in persuading them in as much as the conversion into Government occupancy of such nominally Inam and inalienable holdings had the immediate effect of enhancing their value. For ready reference I append copy[x] of my letter No. 294 of the 13th/19th April 92.

6. If the Rules are to be revised I beg to submit a few points for consideration. The first is the recent order of Government directing that subordinate or Dakhala villages which had been independent villages before, but which were absorbed into other villages during the Survey Settlement should have their own Patel independently of the Patel of the principal village. The supreme consideration in deciding these questions is that these offices are, after all, only a means to an end, namely the public service and should be maintained only so far as they do not impair its efficiency. The setting up of two Revenue Patels for one village has led to serious

(182)

difficulties in Collection. The Compromise in the way of one of the Patels being made a Police Patel and the other the Revenue Patel of a Village has struck at the root of unity and efficiency of even the present day poor remnant of the old Village autonomy.

Practical experience of the state of such Villages cannot but readily convince that the institution of a dual control in petty Villages already torn in most instances by factions would have a most undesirable effect. In the interests of peace and of integrity of Village Service, it is to be earnestly hoped that the order under reference will be reconsidered. The object of the proposed Rules should be, for facilitating administration, to club together as many Villages as may be easily managed and not split up offices, more especially in one and the same Village. +

7. I beg also to urge, in this connection, that there should be some distinct understanding and uniformity of principle in the matter of succession to Village offices. The course of recent Government decisions has not, I respectfully beg to urge, conduced to certainty or uniformity.

Rules X to XII, is an addition to the entire allowance fixed according to scale, and not to a fraction of it. I would therefore omit the words "fixed fraction of the".

Rule X seems incorrectly worded and is in some respects anomalous. What is probably meant by "less than 500 Rs:" is "Rupees 500 and under". In other words I believe "500 Rs." was intended to be included. These two expressions are not however synonymous. The one excludes "500 Rs:" while the other does not.

"Falls short of 5 Rs - - - - - and of 10 Rs." What does this mean? Does it include Rs: 5 and Rs 10 or does it exclude it? The meaning probably is "Falls short by 5 Rs: and under" and of "10 Rs and under". Even this is not ~~far~~ free from objection. Suppose the difference exceeds 5 Rs: or 10 Rs as the case may be. Is no addition whatever to

to be made under this Rule? If so it is not clear why a difference of 5 or 10 Rs: should be given the benefit of this Rule and a difference exceeding it should be altogether denied the same. I can understand a limit being placed upon the additional allowance in the event of the difference exceeding 5 or 10 Rs. But why in such cases, no additional allowance whatever shall be given, I cannot understand. If the difference is more than 5 or 10 Rs, only 5 or 10 Rs may be allowed. If it is 5 Rs or less, or 10 Rs: or less, such actual difference is allowable. I believe that this is the real intention; though the language of the Rule does not give a clear expression to it. The Rule has therefore to be modified.

Then again, this Rule provides for an additional allowance, only in the case of villages whose gross revenue is either 500 Rs and under, or exceeds 1000 Rs. What about villages with a gross revenue of between

than his existing emoluments, he gets it though the loss falls on the Treasury. If it is the same as such emoluments, he gets it and there is no loss either to himself or to the Government. If it is less, he has to be reimbursed for the loss within certain limits. But he is certainly not entitled to be compensated in more ways than one and in such a manner as to give him an undeserved advantage over the Treasury.

Under all these circumstances, I am of opinion the Rule X requires recasting somewhat as follows:-

"When the existing emoluments as found by Rule I exceed the salary as fixed by Rule V or Rule VI, plus the fees as allowed by Rule XXIII (or by the proviso to Rule II as suggested by me), such excess shall be assigned to the officiator as a permanent additional allowance up to a limit of 5 Rs. in the case of villages with a gross revenue of

of Rs: 500 and under; of 8 Rs: in the case of villages with a gross revenue of Rs: 1000 and under, and of 10 Rs: in that of villages with a gross revenue exceeding 1000 Rs." Or, as an alternative, I would suggest that Rule XXIII (or the proposed Proviso to Rule II) be so modified as to take into account for the fixation of Iodi the sum total of the salary fixed under Rule I and II and the additional allowance payable under Rule X. It would be better still if Rule XXIII (or proviso proposed to Rule II) were omitted altogether and if the additional consideration to be shown to the Officiator were to take the form of a cash allowance. The official lands may then be fully assessed and made alienable in the same way as all other private property.

Rule XI seems to conflict with Rule X. Is an officiator to gain under both these Rules? I think not. But neither of these Rules seems

for an increase of salary at each revision of the Potiya settlement. The principle was accepted long ago and a scale of salaries fixed on the gross revenue at so much per 100. It is too late now to resile from the position then taken up.

9. Rules XII to XXII have already been dealt with in the foregoing observations. Rules XXI and XXVI call for no remarks.

10. XXVII. The jodi tax referred to in this Rule means, I believe, the Jodi as entered in Column 8 of Rule XXI and not that entered in Column 3. As observed by the Dewan however, it is desirable that all room for doubt must be removed by a proper definition of this and other terms used in these Rules.

11. I have no suggestions to offer as regards Rules XXVIII to XXXV.

12. Rule XXXVI. There is considerable force in the Dewan's notes on this Rule. Under Rule XXVII, relinquishment of

(188)

the subject of reference in my letter as Deputy Commissioner of Shimoga above quoted and in similar cases, has ordered the "net profits" to be given to the officiator, but I fear this is not in accordance with the spirit of the rules. The rules may be wrong & illiberal; but in that case they ought to be amended by whoever represents the legislative authority of the state.

5. All this confusion arises from there being no finality about the settlement of service inams in Mysore. In Madras, I believe, these inams have been enfranchised like othe

(189)

inams and the owner
occupant is free to
deal with them like
Government land;
but in Mysore, service
inam land is prohi-
bited from being
alienated; apparently
with a view to what
little "net profits" which
may have been left
unabsorbed at the
first Potgi settlement
being appropriated to
the extent of the full
revision assessment
at the end of the
settlement term. (Rule
XV). But it is a
question if, at such
revision of Potgi,
Government take into
account the net profits
on service inam lands

of what is miscalled Official Land is permitted. Under Rule XXVIII, that land forms no part of the Officiator's remuneration. What then is the object of the prohibition against alienation contained in Rule XXXII? Conditions have materially changed since the date of the Circular Notification therein referred to. On the date of that Circular the land constituted the emolument of the Office. But now it has ceased to be so. To 9 say that the land is not a service Inam and in the same breath to say that it is inalienable, seems to involve a contradiction of ideas. In my opinion, the prohibition which is as unnecessary as it is troublesome, may advantageously be removed. I have already said so in dealing with Rule XXIII whose abrogation I have recommended. Another argument in favor of my view is, that the land is not im-partible. Nor does dismissal from Office involve a forfeiture

of

whatever for this grant. Rule XXVIII.

15. General. In conclusion I may be permitted to observe that my suggestions as detailed above, have, for their object, the simplification of the Rules now in force, and the removal of the many doubts and anomalies with which those Rules are beset. Besides verbal alterations they aim at the enfranchisement of lands heretofore considered inalienable and at the fixation of the cash salaries and allowances in a manner least liable to be misinterpreted.

I have the honor to be
Sir,
Your most obedient servant

[illegible]
Deputy Commissioner
Chittagong District.

RB
"Pursuant"

(8)

LR56-94

(General Serial No. 30.

1895. 9574

From The Dy. Commissioner
Shimoga District
R2577

To

The Chief Secretary to the Dewan
of Mysore.

Dated 21st January /95
Camp Basapatna.

Despatched 23d

Received

Enclosures No.

General No. 530

No. 490

With reference to Chief Secretary's Camp official memorandum No. 174-83 of the 30th September last Submits the suggestions for the consideration of Government on rules regarding the remuneration of Patels and Shanbhogs.

Rd 25/1/95

[illegible] 26/1

No. 317 Obgo no 112

(193) Survey Superintendents' Office 14/6

Bangalore 29th November 1894

To

The Inspector General of police

in Mysore

Sir

With reference to your letter No. 1550/164 dated 21st November 1894, I have the honor to forward as desired, the accompanying copy of this Office Memo No. 192 dated 5th July 1889 to the Deputy Commr. – Shimoga District.

I have the honor to be
Sir
Your most obedient Servant

H. Hunt.

Supt: Mysore Revenue
Survey

transaction be revived.

5. The Rules enjoin the levy of the assessment from the Shareholders due on their respective Shares. The village Officials in whose names the Inam lands are registered have been thus saved from the troubles they suffered before, at the hands of their Shareholders, and no difficulty now exists in the village Officials paying their dues to Government and receiving their remunerations in Cash from Government.

6. Village Officials are fined for failure of work, and the fines are generally deducted from the Potgi emoluments due to them. Other Government Officials are also dealt with in the same way, and the fines imposed on them are deducted in their Pay bills. This practice keeps the Officials in order, and prevents failure of duty. By allowing the village Officials the option of making deductions of their Potgies in the Collections made by them will seriously interfere with this wholesome procedure. The village Officials,

especially the Shanbhogs, have several villages to manage, and are in the habit of putting forward various pleas and shirking work, and it is highly desirable, nay absolutely necessary, to keep them to their work by punitive measures. -

7. The Comptroller insists on the Potgi being drawn after the close of the official year for which it is due, this will not only retard the collection of the revenue due by the village officials, but also put them to much inconvenience. Most of the Patels and Shanbhogs, if not the whole of them, want their emoluments being paid to them in the collection season, so that they may conveniently pay their dues to Government. Since the official year goes beyond the collection season, there is no other alternative, under the circumstances, than paying the Potgi as shewn below: -

For six months to be paid in

35

from the Collector that any land was Watan land would be sufficient for the court to remove attachment.

196

The court in the case under reference must surely have had grounds with which I am not acquainted for deciding that the land was not Patel Umbli. To me the matter seems to involve no doubt. Perhaps the Deputy Commis's construction of Rule XXXIII may have been given weight to by the court but the rule in question affirms the land to be Official land and does not make it less so by using the words "will form no part" of the remuneration of the Officiator.

I cannot understand how the land can be considered anything but Official lan

as it, or its profits which comes to the same thing, was assigned as the remuneration of an Officiator. General Circular of 1873 lays down that Service Inam emoluments are not liable to attachment &c &c

In the present instance the decree appears to be in favour of what in Bombay is defined as a representative Wattandar as distinct from the Officiating Wattandar. If so no alienation has taken place and the Watan need not be protected.

Dewan's Order No. 4755/146 of 24th November 1885 would seem to suggest that the land had not always been fully assessed but it is obvious that under any circumstances (Rule XXIII excepted) the full

survey

2) in January, or for 9 months in April; and then for the last quarter before the end of June or early in July. This point requires to be decided in the Revised Rules.

I have the honor to be
Sir,
Your most obedt. Servant,
Abdul Rahman, KB[r]
Dy Commissioner
Shimoga District

BRL

(General Serial No. 10)

1895. 10901.

R2941

From

The Deputy Commr,
Mysore Distt

LR 86-94

To

The Chief Secretary to the Dewan
of Mysore.

Dated 18th February

Despatched 23rd February 1895

Received

Enclosures No.

General No. 863
No.

Submits suggestions called for in re Remuneration of Patels & Shanbogues

RW 25/2

MV & MJ
25/2

2/3

officers performing the duties, do not in many cases, enjoy the benefits of these lands. It is hard, under these circumstances, to regard them as tangible, and substantial remuneration for the service rendered. Even when the officials are in possession of the whole of the Inams, the long enjoyment has led them to look upon them as their private property, and not as remuneration for work, and to be enjoyed only so long as they perform such work satisfactorily. These lands are therefore divided, and sub-divided among the members of the family, and fail more and more to serve the object for which they were originally granted.

4. It is therefore desirable once for all, to abolish this unsatisfactory dual system of remuneration, by bringing all the Manyam lands under full assessment, and introducing cash payments. It may be argued that the imposition of full assessment might be felt as a hardship by those in possession of these lands as an additional charge will thereby be

(201)

(2)

Shimoga Distt Dy Comm.

29 8115

11 Encl - No: 394/362 Encl: 1 file of Canarese papers.

20th September/89.

Camp Shikaripur

LR 56-94

To

The Chief Secretary.

...le: No. 394/362 dated the 20th ...r 1889 from the Dy Comm. of the Shimoga Dt. V. P. Madhava Rao) to Chief Secretary to Dewan -

Sir,

With reference to the Proceedings No: 4755/146 dated 24th November/85 of the Dewan of Mysore ruling that the lands passed out of the "Umblidars" possession should be fully assessed and the "Jari" amount paid to the Umblidar, I have the honor to state that, in accordance with the order the Amildar of

PP

of Scrub applied to me to be allowed to pay the "Jari" Amount of RS 4-15-- due on the lands transferred to the "Paldar of the Coleli family under the under the decree of the Civil Court.

2. I first ordered the disbursement of the amount on the strength of the proceedings above quoted but subsequently feeling doubts about the order I wrote to the Amildar to keep the amount in deposit pending a reference to Government.

made to the Jodi i.e. now paid. But the difference between the full assessment and the present Jodi will be found to be very small, and more than counterbalanced by the full rights of alienation conferred on the holders by this change. The only real objections to this procedure are that the remuneration in shape of land would be more appreciated, and confer better status on the recipients, and that then addition will convert the services into small salaried appointments. There is certainly some force in these considerations. But the powers and privileges attaching to the office combined with the rights of hereditary succession, are quite ample in themselves,[x] to secure a status to the holders of these offices, and to make these offices eagerly sought after. Further, all the Deshmukhs and Patels in the Province do not hold Inam lands, and purely cash payments obtain in many cases. And as the idea of providing these officers with partial remuneration in land, has now been abandoned, there is all

the

be met by reducing in the scale of remuneration for Patels. the percentage on the second thousand by one per cent.

17 As regards succession to office it is not sufficient simply to declare that it shall be considered hereditary, and to be enjoyed by father and son in succession. The right of co-parceners and the circumstances under which they should be entitled to succeed should be detailed as far as possible. The office is in some cases now held by turns, or in shares. These also should be dealt with, and some means devised for putting an end to such inconvenient arrangement.

18 Rules 29 and 33, as regards the distribution of the charges of the Chaudhrys are not quite clear and imperative. They are not strictly enforced in all cases, and give room to favor and partiality in the treatment of individual cases. It is desirable to lay down when the charges should be divided and to insist upon such

[illegible]	2.32	9-8--	do
35	5.--	18--	do
79 part	2.--		do
80 part	1.30	5---	
94	3.17	4-4--	do
101	5.30	12--	do
110	2.36	20---	do
122	-.34	1--	do
133	1.24	-6-	do
149	-.12	--12--	do
		--4--	do
13	33-33	112-6-	do

Jodi 100-5-- Jori 12-1--

Enjoyment according to Putlingi's Patta.

		Assessment	Jori
Hissedars	1 Puttangi...	65-6-8	5-15--
	2 Chennappa...	45-12-8	4-15--
	3 [illegible]appa...	11-2-8	1-3--
		112-6-0	12-1-0

Note.

The three Hissedars were enjoying these 13 numbers in Common. The Civil Court allotted the lands of 2 to him as specified above.

(Initialled) V.P.M.

32	7.2	2.4--	do
34	9.29	22.--	do
79 part	2.5	33.--	do
80 part	1.14	5.--	do
96	4.7	4-4-	do
109	3.7	15---	do
122 part	-.34	1-4-	do
132	1.8	-6	do
141	-.33	-8	do
		--8--	do
11	34-16	105-2--	do

Jodi 94-12- Jori 10-4

Note. No numbers over Jodi and Jori.

Present Patel is [illegible]appa, son of Puttangi, Khatedar of 13 numbers.

Of the 3 Hissedars No. 2 Chennappa having obtained a decree from the Sayer Court of [illegible] I [illegible] the Jori amount [illegible] the present Patel [illegible]

32

10 [illegible]

such division being made without exception. The rights of the officiators to nominate their successors to the new charges should be better defined and instructions provided in what cases and in what manner appointments should be made by the District Officers.

9. The wording of Rule 30 is vague. It is desirable to enumerate in order of priority the various claimants to the office, and to define the rights of childless widows or female heirs and minors, and to regulate claims for maintenance and allowances to be paid to the Gumastas. It is necessary at the same time to define the qualifications literary or required to qualify applicants for the office.

10. Rule 31 is not as full as it should be. Rules are also required for the guidance of the District Officers regarding the minor punishments such as fines and suspensions to be inflicted on village officials, for dereliction of duty. It would also be an advantage to enumerate in detail

the

Gen. Serial No. 30.] 12 — 3411

1894-95 22 12356

Q 3320

L R 86-94

From

The Deputy Commissioner

of Hassan District.

To

The Chief Secretary to the ~~Dewan~~ Govt of Mysore.

Dated 19th } March 1895.

Despatched " }

Received

Enclosures No.

General No. 658

No. 5

In reply to Official Memorandum

only No. 174-83 dated 30th September

1894.

SUBJECT.

Submitting opinion on the

Dewan's Memorandum dated 4th

July last on Rules regarding the

remuneration of Patels & Shanbhogs.

References—(to be entered only in the Dewan's Office).

Recd 26.3.95

55

Ret 22/3/95

22.3.95

Go Records
Please [illegible]

15

No 394

Survey Supdt's Office
Bangalore 2nd November
1889.

To
The Deputy Commissioner
Shimoga District

Sir,
I have the honor to state in reply to your letter No 3059 the 20th instant that I have no objection to [illegible] surveying, so far as I am concerned. In regard to the question in your Memo No 468 dated 8th [illegible] 1889 — You ask "whether at the "time of Original settlement or re-"vision settlement under the [illegible] "of the emoluments [illegible] of [illegible] "Inam lands that have been "fully assessed are taken into "consideration in fixing the ad-"ditional [illegible] under Rules 23 "and 24 on lands still borne "on the books as Inam lands". I [illegible] that I am not clear as to the [illegible]

make but if I am right in [illegible]
that you wish to know whe[illegible]
the emoluments fixed by [illegible]
are taken into consideration
in working out Rules XXIII &
XXV. I can answer in the
affirmative - As the Rules are
quite clear on this point I fear
I cannot have gauged your
enquiry properly and if so
I shall feel obliged by your
repeating it more clearly.

I have &c

Sd/ J. P. Grant
Superintendent
Mysore Rev: Survey.

No. 658/8.

Deputy Commissioner's Office
Hassan District
Dated Hassan the 9th March 1895.

From

The Deputy Commissioner
Hassan District

To

The Chief Secretary to the
Government of Mysore,
Bangalore.

Sir,

With reference to Dewan's Memorandum dated 4th July 1894 on Rules regarding the remuneration of Patels and Shanbhogs and your Docket No 3852/R.F. 68-94 dated 4/7 instant calling for my report in the matter, I have the honour to submit my suggestions which are as follows:-

I Provisions of Order No: 10267-75 dated 3rd January 1894 should be embodied as corollary of Rule XXXIV published under Notification of the 27th October 1874.

II. Shanbhogs are not living within their charges as contemplated in Rule XXXIV and a forfeiture should be provided for default of such residence. This may involve a reduction of the amount of the Potge by one fourth and they may get only three fourths for the surplus charges held

Gen. 31.]

9 (12)

189[illegible]

13749.

R3736

LR8—94

From The Deputy Commissioner Kolar District

To The Chief Secretary to the Govt ~~Dewan~~ of Mysore.

Dated 11th

Despatched 15th April

Received

General No. 3689

No. 1222

Enclosure No.

Offering Suggestions with reference to Chief Secretary's Official Memorandum C. No 174-83 dated the 30th September '94 regarding the remuneration of Patels and Shanbhogues.

Rev. Br

16/4

Have the Replies been completed?

17/4

RD 20/4

Kolar Deputy Commissioner's Office
Dated the 11th April 1895

To

The Chief Secretary to the
Government of Mysore

Sir,

With reference to your Official Memorandum C. No: 174-83 dated the 30th September 1894 forwarding for any suggestions I may have to offer copy of the Dewan's Memorandum dated the 4th July last on Rules regarding the remuneration of Patels and Shanbhogs, I beg to state as follows on the several points therein raised:-

Para 2 of the Dewan's Memo-randum. — This para correctly describes the manner in which the Service Inam lands are dealt with under the rules published with the Notification of 27th October 1874.

Para 3 of do- do-. — The word "profit" as used in Rule XXIII of the Notification of 27th October 1874 I understand to mean the "net profit" after deducting from the Survey assessment

the

bmitted for orders-
This is an old case referred
No
the orders of Govt. so far
k as April 1891. The present
minr. having sent a reminder,
careful search was made for
papers which could not however
traced. The Dy Commr. was therefore
ested to send copies of the corres-
dence referred to by him & this
ow been received.
Though the Munsiff of Sagar
a warrant for the attach-
of the Potgi (Rs 99-15-7)
Patel Padmiah, the Amildar
of remitting the amount
at once, should have
ed permission to file a
objecting to the attachment
amount which forms the
ments of the Patel, under
(d) para 5 Rule XLIII of
inue Rules.

It is not clear
ther the Deft (Patel)
lied for a revision
Munsif's order
The records of the
se in the Civil
rt may be
t for -
sd
14/11/96

Secretary
28/11/96

LRB-94

Gen. 31]

913

4618

REVENUE DEPARTMENT
GL. No. 2940
R 2105
NOV. 96
1896
DEWAN'S OFFICE.

From
The Dy Commissioner
Shimoga District

To
The Secretary to Government
General & Rev: Departments

Dated
Despatched 28th October 1896.
Received

General No. 426
No. 360

Enclosure No. 2

With reference to his docket No. 3257/R 1137 dated 22d Ultimo furnishes copies of this Office letter No 66/62 dated 22d April 1891 and of its enclosures.

Rev 31/10/96

Ref sd
2/11/96

Ref ...
5/11

1896

From

The Deputy Commission[er]
Shimoga Distr[ict]

To

The Secretary to Governme[nt]
General and Revenue D[epartment]

Dated 28th October 1896.

No. 426/360 En 2

His docket No. 3257/R 1137 dated [...]
ultimo requesting to be furnishe[d]
copies of letter No. 66/62 dated 22nd Ap[ril]
1891 and of its enclosures.

With reference to the above, h[e]
honor to forward a copy of lette[r]
dated 22nd April 1891 together [...]
copies of Vernacular corresp[ondence]
connected therewith.

[signature]
For Dy Commission[er]
Shimoga Dis[trict]

[initials]

1896

From

The Deputy Commissione[r]
Shimoga Distr[ict]

To

The Secretary to Governmen[t]
General and Revenue D[epartment]

Dated 28th October 1896.

No. 426/360 En 2

His docket No. 3257/R 1137 dated [...]
Ultimo requesting to be furnishe[d]
copies of letter No. 66/62 dated 22d Ap[ril]
1891 and of its enclosures.

With reference to the above, h[e]
honor to forward a copy of lette[r]
dated 22d April 1891 together [...]
copies of Vernacular corresp[ondence]
connected therewith.

[signature]
For Dy Commissione[r]
Shimoga Dis[trict]

[initials]

Officer. Rule XXVII requires also to be modified accordingly. The additional reason in favor of the proposed withdrawal of the prohibition against the alienation of the Service land is that while Government receives the full assessment of such land from the alienee, the Officiator or hukdar expects no addition to his salary to compensate him for any loss sustained by him through such alienation and that the measure will in a material degree dispense with the necessity of revising the quit-rent payable by the hereditary officer or sharers.

Para 7, Clause C, of do. do.

It is not clear whether it is intended to allow two or more persons to officiate as Shanbhogs at one and the same time. If so, it would be inconvenient and I think that only one Shanbhog should officiate at a time, the other Hakdars having their turns on his dismissal or death and

paying

27-10-96

[illegible] 1891 [illegible] 13/36 [illegible]

[illegible] 1022 [illegible]

[illegible] 91 [illegible]

[illegible] 3 [illegible]

[illegible] 72 [illegible]

[illegible]

[illegible]

1890 [illegible]

[illegible] 272 [illegible]

[illegible]

[illegible] 18.

[illegible] 22 [illegible] 5 [illegible]

[illegible] 2-3 [illegible]

[illegible]

[illegible]

[illegible]

[illegible] 266 [illegible]

[illegible]

[illegible]

[illegible] 254 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible]	[illegible]	[illegible]	[illegible]
349	21-3-91	1140	20-3-91

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible] 36 [illegible] 24-3-91 [illegible] 1140 [illegible]
[illegible]
[illegible]
[illegible]
5 [illegible]
[illegible]

paying in either case any money embezzled by him if so required by Government. If however a rotation is considered desirable each man will as a general rule be responsible during his own turn and even in that case the man succeeding may be held answerable for payment of sums embezzled by their predecessors so that all the Hakdars may watch one another's actions and promptly bring to the notice of Government the irregularities on the part of the respective Officiators for the better security of Government money.

I have the honor to be,

Sir,

Your most obedient servant,

F. Marshall

Deputy Commissioner,

Kolar District.

Isam

27-10-96

[illegible] 1891 [illegible] 13/36 [illegible]

[illegible] 1022 [illegible]

[illegible] 91 [illegible]

[illegible] 3 [illegible]

[illegible] 72 [illegible]

[illegible]

[illegible]

1890 [illegible]

[illegible] 272 [illegible]

[illegible]

[illegible]

[illegible] 22 [illegible] 5 [illegible]

[illegible] 2-3 [illegible]

[illegible]

[illegible]

[illegible]

[illegible] 266 [illegible]

[illegible]

[illegible]

[illegible] 254 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

21-3-91 1140 20-3-91

349

[illegible]

[illegible]

36 24-3-91 [illegible] 1140 [illegible]

[illegible]

OFFICE OF THE DEWAN OF MYSORE
18472
JUL. 25

Gen. Serial No. 31.]

1895

From, Deputy Commissioner, Kolar District

To The Revenue Secretary to the Government of Mysore.

Dated 30th June

Despatched 5-7-95

Received

Enclosures No. 1

General No. 5140
No. 1572

Re: office letter No. 3082 dated 1st April 1895 submitting opinion on Rules regarding the re-communication of Inam and Phadikbabs(?)

In continuation of the above has the honour to forward the accompanying copy of the Chikballapur Sub Division Officer's letter No. 600 dated the 24th April 1895 offering his suggestion in

LR 56-94

55.

(223)

LR 56/94 8192

Gen. Serial No. 30.]

2355
R 1459

To Secretary
Fornalers,
File on the subject is before
... File obtained & put up

16/10/97

1897

From

The Suptt. Mysore Rev Survey

To 56/22

The ~~Chief~~ Secretary to the Govt. ~~Dewan~~ of Mysore.

... is the order ...
... there is a reply ...

27-10-97

Dated 28th September /97

Despatched

Received

Enclosures No.

General No. 253

No.

In reply to Govt Pro. No. 2812 of 11th Septer 1897 R 468-94-95

SUBJECT.

Submitting opinion on the subject of modification of Rule X and cancellation of Rule XI of the Patel Rule

Omitted —
Order is ...
... by the 2nd
Councillor in the
... — marked
& up.
The office draft
... the order
forthcoming
... searched for
here & in DAO.
... see slip put up)
... of the order may
... obtained from
... Suptt:

11/12/97

... used ...
... get a
from the
...

13-12-97

References—(to be entered only in the Dewan's Office).

... the subject is now before ...

(6)

No. 253.

Survey Superintendent's Offi[ce]
Bangalore 28th September
18[97]

To

The Secretary to the Governm[ent]
of Mysore, Gl and Reven[ue]
Dep[artment]

~~Sir,~~

I have the honor to acknow[ledge]
receipt of the Proceedings of [...]
Order No. 2812 dated 11th Septem[ber]
R4 68-94-95
1897 on the subject of the mod[ifica]
=tion of Rule X and the cance[llation]
of Rule XI of the Pacca Potg[...]
as suggested by the Deputy
Commissioner of Chitaldroo[g in]
his letter No. 56 of the 13th De[cember]
1894.

2 I am not surprized tha[t the]
Deputy Commissioner has take[n ex]
-ception to Rule X which, as n[ow]
printed, is most incongruou[s]
I need scarcely say that no [...]
acqu[...]

(Margin notes:)

Submitted
Mem is not
in the file
but being
traced.
16/10/97

Copy obtained
from the Suptt
of Rev Survey in
Mysore - Vide
his No 432
of 5th Jany 1898
put up
12/1/98

in the matter

[illegible]

for Commissioner

[illegible]

before such relinquishment – (Vide para 2 Chief Commissioner's Proceedings No. 3219-28 R 580 dated the 30th August 1880 page 67 Revenue Manual of 1880).
The expression Jodi tax in this Rule would seem to mean the total amount of Jodi Column 8 of Statement under Rule XXI. The Rule has application only in those cases, where some profit is still left to the holder under Rule XVIII. If the land is subjected to full survey assessment, or Jodi equivalent to full assessment relinquishment of part of it would involve reduction of so much of the assessment as the part relinquished was liable to pay. But if the combined Jodi is less than the full assessment then resignation of part of it should involve no loss of the profit left to the holder. Putting a typical case, let us suppose the full survey valuation of a Shanbhogue's Inam land is Rs 40 and the Jodi imposed in connection with the Potgi is Rs 20, then the Inam would under Rule XVIII be subjected to a further payment of Rs 10, the combined Jodi payable being Rs 30, leaving a profit of Rs 10 to the holder. If in this case the man resigned land bearing a survey valuation of Rs 10, the reduced Jodi should be not the proportionate amount of Rs 22 1/2, which would only leave the holder a margin of Rs 7 1/2 but Rs 20 which would leave the profit

intended to be "not less than Rs 500".) should have been reported to Government and I ~~thought~~ that the Survey Commr. would have taken the necessary steps. Still I blame myself for not urging the matter, the truth being that I regarded the Rule as a subsidiary one and, being satisfied with the working Rule adopted in my Office, the matter somehow escaped my notice.

4 If Rule X, as now adopted in my Office and given at Para 2 above, be substituted for Rules X and XI as now printed the objections of the Deputy Commr. will entirely disappear and the ruling will be in accordance with the practice followed in my Office from the very first.

5 The alteration suggested in the wording of Rule IX is I think unnecessary

unnecessary.

228

6 The Deputy Commissioner has quite misapprehended the meaning and affect of Rule XXIII. That Rule provides for a clear saving to Government and not for any allowance to the Officiator, unless the Deputy Commissioner means that he would make all land emoluments revert to the State, after providing the salary of the Officiator, that is, that the surplus should be fully assessed if not required for the salary of the Officiator. It was with considera-ble diffidence (see Para 19 (6) of his letter No. 102 of 1st May 1866) that the Survey Commissioner suggested taking for Government even one half of the surplus. To take the whole surplus, would be to treat the Inam less favourably than

of Rs 10 intact.

5 Under Rule XXIII, the official land though in the possession of the office holder is not to form any part of his remuneration. He and his heirs are free to relinquish them. It is therefore anomalous that the land should be treated as service Inam and inalienable. Land, the survey valuation of which is less than the combined Jodi imposed on it, has some features distinguishing it from assessed Government land. But where the Jodi imposed is equivalent to the survey valuation or in other words when the land is made to pay the full assessment, it is little different from assessed occupancy land but is handicapped by the drawback of being inalienable. The theory that such land cannot be forfeited has led to serious difficulty in the recovery of arrears due on it which was anticipated in para. 5 of the Chief Commissioner's Proceedings already quoted and which I brought to notice in my letter No. 294 dated 18th/19th April 92 in connection with the Gotikeri Jaring. The sooner this theory is done away with, the better would it be in the interests of Collection of Government dues.

I.

(383)

LR 56/94 8119

2355
R 1459

Gen. Serial No. 30.]

1897

To Secretary
? Councillors;
File on the subject is before
... (File obtained & put up)
16/10/97

From
The Suptt Mysore Rev Survey

To
86 (22)

The ~~Chief~~ Secretary to the Govt
~~Dewan~~ of Mysore.

... is the order to ... there is a reply ...
27-10-97

Dated 28th September/97
Despatched
Received

Enclosures No.
General No. 253
No.

In reply to Govt Pro. No. 2812 of 11th Septer 1897 R 468-94-95
SUBJECT.

Submitting opinion on the subject of modification of Rule X and cancellation of Rule XI of the Patel Rule

...mitted –
...order is ... ...ed by the 2nd ...ncillor in the ...opsis – marked ... up.
...e office draft ...ordering the order ... forthcoming ... searched for here & in DAO.
...use see slip put up)
...3 of the Order may ...tained from ...Suptt:
11/12/97

...at ... ... from the ... ...
13-12-97

References—(to be entered only in the Dewan's Office).

... 13/1/97

... the subject is now before ...

remain.

26

231

I have the honor to be

Sir,

Your most obedt Servant

J P Grant

Supdt Mysore Revenue Survey

KM

J. P. Grant

when two branches of Watandars contest an office, a decision that one branch having enjoyed the office for a number of years should give place to the other which should have its own turn, does seem to upset long formed and natural expectations. There are also decisions permitting parties to reopen the suit when a vacancy should occur. I refrain from dwelling more on this subject lest I should be understood to enter upon a criticism of the orders of Government which is far from my intention. My object is to urge, now that it is proposed to revise these Rules, that some intelligible principle should be laid down for regulating succession to the offices. Uncertainty in this respect breeds perpetual litigation and intrigue in villages, against the existing officiators by possible claimants. Those persons or branches who have held office for the limitation period of 12 years should be able to count upon having it in their own line.

Other members or branches of the family may be registered Hakdars having a claim to succeed only when the line of the officiator becomes extinct or forfeits the office.

I have the honor to be
Sir
Your most obedient servant
(Sd) A. Krishnaswamy Iyengar
Sub Division Officer
Chickballapur

True Copy

[signature]
for Deputy Commissioner
Kolar District

4

Sl 21 Draft as per orders

22 Sl(21 25

To,

Sl 22

The Superintendent
Revenue Survey

233

LR 56-94

No: 7063
R.F. 244-92
Date 28/1/98
28.

Not entered in the Registry

His docket No: 425 dated the 4" January 1898, stating that the cash remuneration of Patels and Shanbhoges in Bombay is not liable to attachment in satisfaction of Civil Court Decrees &c. 17

With reference to the above, has the honor to request that the Superintendent will be so good ~~enough~~ as to favor ~~this office~~ ~~undersigned~~ Govt with a copy of the Rules or order ~~under~~ ~~on~~ under which ~~his~~ statement ~~has been formed~~ is based exempt "the cash remuneration of Patels & Shanbhogs in Bombay" &c from attachment.

By Order

24/1/98

28-1-98

Secretary

8114

REVENUE DEPARTMENT
G. No. 682
1895/470
26 JUL. 95
DEWAN'S OFFICE.

LRS 6-94

From

The Inspector General of Police
in Mysore

To

The ~~Chief~~ Revenue Secretary to the
Government of Mysore.

Dated 24th July 1895

Despatched

Received camp Laxung

General No.

Camp No. 13

Enclosure No. 6

SUBJECT.

Submitting Memorand on the Rules for the removal of Patel & Shanbogues

Rev

Complete refs Enc

MS 26/7/95

SS

20/7/95

OFFICE OF THE INSPECTOR GENERAL
OF POLICE IN MYSORE.

No. 13
Enclosures 6

Dated Camp Davangere 24 July 1895

From

The Inspector General of Police in Mysore.

To

The ~~Chief~~ Revenue Secretary to the Government of Mysore.

SIR,

With reference to Chief Secretary's office memorandum Camp No 174 – 83 dated 30 – 9 94 inviting my suggestions as regards the revision of the rules for the remuneration of Patels and Shanbogues I have the honor to enclose a memorandum [on the] subject.

I have the honor to be
Sir
Your most obedient Servant
[signature]
Inspector General of Police

of Dharwar on the matter.

I have the honor to be
Sir,
Your most obed^t. Servant

Supt Mysore Revenue
Survey

236

21

Office of the Inspector General of Police,
Camp Davangere, 24th July 18

16

Memorandum.

Enclosures –

From Depy. Commissioner, Shimoga
To The Survey Supdt. No. 385 dt. 20.9.89.

From Survey Supdt. to Depy. Commr Shimoga, No. 394 dt. 27.9.89.

From Depy. Commissioner, Shimoga.
To The Chief Secretary
No. $\frac{394}{362}$ dt. 20.9.89.

Shimoga Depy. Commissioner's Memo No. 458 dt. 18.5.89 to the Survey Supdt.

From Survey Supdt. to the Inspector General of Police No. 87 d. 29.. 89.
(in original with enclosure).

Copy forwarded for ready reference.

The rules require revision as remarked in the Memorandum drawn up by the Dewan. The phraseology of Rule X appears to be capable of improvement.

2. Regarding paras 4 & 6 of the Dewan's Memorandum, similar doubts occurred to me, and I have explained my difficulties in my letter No $\frac{394}{362}$ dated 20th September 1889 as Deputy Commissioner of Shimoga to the address of the Chief Secretary.

3. As regards clause 3 of para 6 of the Memorandum, I think there is a slight misunderstanding as regards the meaning of the Rules. The Rules do not contemplate the service inam lands still in the holding of the officiator & co-sharers getting the benefit of the "net profits" as the Dewan would call it, of the service inam lands relinquished or alienated. Full assessment is put on such lands and the benefit goes to Government.

4. The Government in the case which formed

2/-

which, during the currency of the settlement have had full assessment put on them either owing to their being resigned or alienated. This ought, in fairness, to be done; and it was in connection with this that I addressed the Superintendent of Survey in my Memo.* No. 408 of 18th May 1889 as Deputy Commissioner of Shimoga. But instead of tying down these lands in this manner for the sake of the small "net profits" which might have to be absorbed at a revision

* Copy forwarded for reference

of Potgi settlement, it will be a benefit both to Government and the ryots to once for all declare lands on which final jodi has been put as per column 8 in Rule XXV to be enfranchised inams. Government will have ample assets in the enhanced assessment, which a revision implies, for meeting the proportionate rise in the remuneration to be paid to village officers.

6- "Gross revenues" & "gross assessment" are used in Rules XV, XVI & XVII. The expression "gross assessment" may be adopted as it is

DEPARTM

24 25

Reply of the Collector of Dharwar to letter No. 589 dated 1st March 1898 from the Superintendent Mysore Rev. Survey.

No. 1723 Camp Hubli
5 March 1898.

The undersigned has the honor to state that service Watan allowances are regulated by Bombay Act III of 1874 and the rules thereunder. Sec: 13 of the Act is quoted below:—

"Watan assigned as the remuneration of the officiator and its profits cannot be attached by Civil Courts where this is done by inadvertance, the Collector can cause the removal of the process."

× × × × ×

The various rulings under the act are given in the annotated edition by Rao Saheb H. S. Phadnis Sub-Judge Bijapur. From ruling No. 18, at page 100 of

of the Book, the following quotation is made:—

"The official remuneration of the officiating Hereditary officer is not liable to Civil Process so long as it is in the hands of the Collector or other disbursing officer but as soon as it is in the hands of the hereditary officer himself, it is deprived of any special protection."

Signed

Collector, Dharwa

Copy

[signature]

Supdt. Mysore Rev. Survey.

well understood.

7- Regarding para 7 of the Memorandum I do not know if it is necessary to insert in these rules any provision for succession to huks or for punishment of haklidars. These are regulated by notifications & orders published in the Revenue Manual at page 269 et. seq.

8. The Rules provide only for fixing remuneration payable to Potels & Shanbôgs, and are intended for the guidance of the Survey Department or other department that may have to work them

24th July 1895 }
Davengere }

P. Madhava Rao
25/7 Police Mysore

(4)

34

Memo No. 192 dated the 8th July 1889 from the Supdt of Rev Survey to the Dy Commr of the Shimoga Dt

Survey Superintendents Office
Bangalore 8th July 1889

The assessment of the Umbli land in question was, or at any rate should have been collected in full as under Rule XXVIII it forms no part of the remuneration of the Officiator which must be paid wholly in cash. The fact of the land passing out of the possession of the Officiator or other sharer in the Hak makes no difference in the amount or mode of the cash payment to the Officiator.

The land in question was valued under Rule I and appropriated to provide the salary of the Officiator but it is not

REVENUE DEPARTMENT
Gl. No. 2180
SEP 21 1898
9 No. 12405
DEWAN'S OFFICE

Gen. 30.]

1898

81 (26)

Submitted with reference to office note

LR86-94

From The Supt. Mysore Rev: Survey

To The ~~Chief~~ Secretary to the Govt. of Mysore. Gen & Rev: Depts.

Dated } 21st September 1898.
Despatched }

Received

Enclosure No. 26

General No. 210
No.

In reply to Dock No $\frac{10601}{R.7.244-92}$ dated 4th May/9.

SUBJECT

Reporting opinion on certain modifications and alterations in the Potgi Rules.

References (to be entered only in th[e] Dewan's Office).

22-9-98

No 210

(306)

Survey Superintendent's Office
Bangalore 21st Septem

To.

The Secretary to the
Government of Mysore
Gen & Rev. Depts.

Sir,

I have the honor to acknowledge the receipt of your letter No $\frac{10601}{R.7.244\text{-}92}$ dated 4th May 1898 on the subject of revising some of the Potgi Rules of 1874

2 As I observed in my letter No. 286 of the 6th November 189 no doubts or difficulty of any kind have occurred in my Office in working the Rules.

5c No 5 of R7 68 of 94
Enclosed.

they

not the less on that account Official land. Under Section VII of Bombay Act III of 1874 neither the land nor the profits (in the present case the survey assessment less the jodi) assigned as remuneration of an Officiator can be alienated and under Section XIII of the same Act the Watan and its profits are not liable to process of any civil court. Bombay Act III has not been extended to Mysore but its provisions are important when the ruling in Mysore on a subject of this kind is considered wanting in clearness.

The civil court appears to have declined to postpone execution of the Decree when asked to do so by the Deputy Commr. In Bombay a certificate from

Survey assessment ought to be collected otherwise how could the Officiators be paid wholly in cash.

Deputy Commr's Memo No. 468 dated 18th May 1889 and its enclosures are herewith returned.

(Sd) J. P. Grant
5-7-89 Supdt. Mysore Revl. Survey

"Copy"

J. P. Grant
Supdt. Mysore Revl. Survey.

"if over Rs 50, at 5 per cent,
"in villages having a gross
"revenue of Rs. 500 but less
"than Rs 1000; and up to
"a limit of Rs 10 or, if over
"Rs 100, up to 10 per cent, in
"villages having a gross
"revenue of Rs 1000 or more."

Rule XV. After the word "fixed" in the first line add "under these Rules" and after the words "ten years" in the 3rd line add the words "if necessary"

28

Rules XVI and XVIII. These two Rules have already been replaced under Chief Commissioner's Order No. $\frac{6154-63}{R.\ 1081}$ dated 21st January 1881 by

by the following Rule.

"The assessment etc etc etc" 250

(Para 4 of Survey Commissioner's letter No 891 of 27th October 1880.) Page 73 of 59

Rule XXIII Before the word "profits" in the 3rd line insert the word "net" and cancel all after the word "land" in the 3rd line.

Rule XXVII. Before the word "Jodi" in 7th line insert the word "total" and after the word "Jodi" add the word "now". Thus instead of "the Jodi" the Rule will read "the total Jodi now payable"

3 More modifications and alterations than above shown, these

(3)

Memorandum No 468 dated the 18 from the Dy. Commr., Shimoga Dt. to the Supdt. of Rev. Survey 33 188/

Sorab Amildar's Ittila no. 70 dated 5th May 1889 regarding the Umbli lands of Here-Chowti village.

No 468
18/5/89

Forwarded to the Superintendent of Revenue Survey and Settlement for favor of opinion as to whether the Jari amount may be paid over to the officiator Patel. If I read the Potgi rules aright the Potgi amount represents the full remuneration payable to the officiator and if it should be decided that the Umbli land should be fully assessed by reason of its having passed out of the Patel's hands under the decree of the Civil Court, the Government I apprehend is the proper party to get the difference between the full assessment and the Jodi and not the officiator Patel.

2. I shall also feel obliged by my being enlightened on the following points.

(1) There being no prohibition under the Potgi rules of 1874 similar to that contained in General Circular no. 5 of

Draft (as per orders) 8 [12]

(10) (252) LR 8-94

To.

The Superintendent
Mysore Rev Survey.

Dated. 29/29 11. 98

No 3626 32
R.Y. 244-92

Superintendent's letter no. 210 dated 21st September 1898 proposing certain alterations and modifications in the Potgi Rules of 1874.

Referring to the above, has the honor to invite the attention of the Survey Supdt. to this office No 10601/R.7.244-92 of 4th May 1898, where he was requested to propose, with reference to the revision of the Potgi Rules generally, a rule similar to that contained in the Bombay Vatandari Act prohibiting the attachment by Civil Courts of the Potgi or cash remuneration payable to village officers and to observe that in the letter under reference

no Such rule has been Suggested.

2. The Notfn. of 9th Septr. 1835 referred to in Rule XXXVI of the Potgi Rules of 1874, declares that the emoluments derived from lands, from fees in money or grain & from other Sources, attached to village offices are inalienable by Sale &ca and are not liable to attachment or other process in Satisfaction of judicial decrees, while Rule XXXVI refers only to the prohibition of the alienation of Service Inam lands by Sale &ca.

The Supdt. of Rev Survey is therefore requested to Suggest in addition to the modifications already proposed by him, a rule prohibiting the attachment &ca by Civil Courts of the Cash remuneration payable to village officers from the Treasury, So that it may form part of Rule XXXVI of the Potgi Rules.

"By Order"

26-11-94

Secretary

23/11/95

18; and in the Potgi Rules of 1869, against the transfer of Umbli lands under Judicial decrees; whether objection could properly be taken to the action of the Civil Court in this case?

(2) Whether full assessment has been properly imposed in this case seeing that the Service lands have been transferred to the same Vatandar or Umblidar family.

(3) Whether at the time of Potgi Settlement or revision of Potgi at Revision Settlements under Rule 15, the emoluments from Umbli lands that have been fully assessed, are taken into consideration in fixing the additional Jodi under Rules 23 and 25 on lands still borne on the books as Umbli lands.

Copies of English Correspondence and Dewan's order in the case are herewith forwarded for ready reference.

To Rev: Secy No. 372/255 of 26.6.35

To do. No. 803/576 of 10.10.85

To do. No. 4756/146 of 24.11.85.

18th May 1889
Shimoga.

Sd/ V. C. Madhavarao
Deputy Commr.
Shimoga District

3. A reference as per memo in English No: 268 dated 18th May/89 on Yadi No: 70 of 5th March/89 was made to the Superintendent of Revenue Survey Mysore and he has replied by memo No: 192 of 5th July/89 in English.

4. From this it will be seen that if the lands are to be fully assessed the Yadi should go to Government and not to the Patel as he has been fully remunerated by the Sirkar.

2ndly As the man to whom the lands have been transferred is

+ Copy [illegible]

+ Sent in original to the Ch. Secy with the letter No. 374/362 of 20th Sept/89 regarding the Patel Inam lands of [illegible] Village Sorab Taluk.

(PK)

is a member of the "Inamdar" family he is entitled to have the lands as "Inam" and enjoy the "Jari" whatever it be.

5. I solicit orders as to payment or otherwise of the amount held in abeyance.

6. I beg also to invite attention of Government to my first query to the Superintendent of Revenue Survey Mysore, about the absence of provision in the Bombay Rules against transfer of "Inam" lands under judicial decrees. The analogy of the Bombay provision cannot, in my

36

my humble opinion, be made the basis of action in the absence of a provision in the Rules having the force of Law for Mysore.

7. I beg also in connection with this subject to invite the attention of Government to para 8 of my memo accompanying letter No. 108/98 [x] dated 17th May/89 to the Chief Secretary.

[x] This is in connection with the Responsibility Card (Ganjam Dist[illegible])

+ (Not forthcoming in the Records)

8. The Vernacular records are herewith submitted.

I have &c.

(Initialled) T. F. M.

Dy Commissioner

[illegible]

Draft for approval as per orders 8129 (3)

~~8682~~

(12)

To.

The First Assistant to the Resident in Mysore.

LR 68-94

Dated 9/4/00.

No. 9245 / 42 / R.7. 68-94

Sir,

I am directed to forward herewith for the ~~final~~ Sanction of the Govt of India, under Article 19 of the Instrument of Transfer, ~~a~~ The accompanying Draft of a Notification proposed to be issued by the Durbar, directing certain alterations in the Rules for the Remuneration of Patels and Shanboques, published under the late Chief

259

Commissioner's Notification No. 219 dated the 27th October 1874, with the approval of the Govt. of India conveyed in their Secretary's letter No. 144 R dated the 10th July 1874. The alterations ~~have been suggested~~ proposed ~~are as~~ were suggested by the Superintendent of Revenue Survey in Mysore ~~at the instance of the Durbar, and approved of by them.~~ and have been approved by the Durbar who [illegible] that past experience has rendered them necessary.

The ~~necessity~~ need ~~for~~ of a ~~the~~ [illegible] ideas [illegible] the

A copy of the Rules of 1874 is forwarded herewith for ready reference.

[illegible]
7/4/00.

I have &ca

[illegible]
4/4/00 Secretary

Submitted
2nd Secy.
May a typed copy of the draft & accompanying copy of the rules of 1874 be sent with this [illegible] ×

× Recently - Printing may take a long time.
[illegible]
4/4/00

I am [illegible]

No 1355.

Camp Mihtapur
20th September 1889.

15 / 4

To

The Superintendent
Revenue Survey
Mysore.

Sir,

With reference to your Memo No 192 dated 2nd Aug 1889 forwarded in original to the Revenue, copy of which is herewith forwarded for ready reference, I have the honor to invite attention to query 3 of my Memo No 408 dated 5th May '89 (copy enclosed for ready reference) and to request the favor of a reply to the above if there is no objection to a reply being given —

I have &c

Sd J. C. Mitchell Esq
Deputy Commissioner.

p. 2. extra copies to Dy. with letter No 394/362 dated 21/10/89.

[illegible]

[illegible]

Pol 1984

11632
18.6.900

8 (310) 190

From The Offg. Asst. Resident in Mysore

[Stamp:] R[illegible] No. 8395 JUN 23 1900

To

THE [illegible] TO THE GOVT OF MYSORE,
GEN. & REV. DEPTS.

Dated 18th June 1900.

Despatched

Received

General No. 2881

No. 206-1900

Enclosure No.

Communicates sanction of the Govt. of India of certain alterations & modifications in the Rules for remuneration of Patels and Shanbhogs.

[illegible]

[illegible]

21/6/00

References to be marked

[illegible]

Rd
23/6/00

Submitted to Secretary.

1). May the draft order & Notification passed in Council already (S. No. 30) be now printed & issued?

P.T.O.

2). There has been delay in the submission of this paper. The Explanation put up is not Satisfactory. I have fined the Official one Rupee.

[illegible]
25/7/00

---

(261)

LRB-94

44

Gen. 31] LRB-94 (17)

REVENUE DEPARTMENT Gl. No. 121/C R 1893 4 AUG 96 DEWAN'S OFFICE

216

From

The Deputy Commissioner Shimoga District

To

The Secretary to Government General and Rev: Departments

Dated 11th ~~April~~ 1896.

Despatched. August

Received

General No. 173 / **No.** 143

Enclosure No.

Requests an early reply to this office docket No 46/62 dated 22 April 1891 forwarding for orders a summarise papers in connection with the kotgi due to Ledunigale, Patel of Vattadi, Sagar Taluk.

Ref ... 1/8

Principal tab ...

NI. Put up papers. 15/8

The no alluded to in this was put up with letter No 13 Genl No 17789, 25th May 1891 from the Govt. Advocate, stating that under Sec: 266 of the Civil Pro: code all kinds of property not especially exempted therein are liable to attachment &c.

& it is marked in the Genl Regr against this Manasa ... nothing is marked in the Forms & Genl Regr as having been disposed of & no further clue to search.

17/8/96 17.8.96.

Recd 19/8

The letter quoted is not in R7 264 of 92 regarding the attachment of ... kunde.

24/8. Submitted for orders

25/8/96

Ask Manager

25/8/96

Genl. Records.

Please look up the Regr & Genl book again. A ... Revenue or Petition reference could not have been sent to ... If not found, I would suggest applying ... for copies

4/9 ... the Regr & ... book as suggested above by Registrar — 4/9.

Vide remarks ...

1896

From

The Deputy Commissioner
Shimoga District

To

The Secretary to Government
General and Revenue Departmt

Dated 11th August 1896

No 173/148

This Office No 66/62 dated 22d April 1891 forwarding for orders Canarese papers in connection with the vargi due to Padmiah, Patel of Pattake, Sagar Taluq, having been attached and received by the Munsiff of Sagar in satisfaction of a Civil Court decree.

Has the honor to invite attention to the above, and to request the favor of an early reply thereto.

[signature]
for Deputy Commissioner
Shimoga District

[initials]

Draft for app

(39)

Read:—

(1) Letter No 66/62 dated 22d April 1891 from the Deputy Commr, Shimoga District, ~~[illegible]~~ submitting for orders a case in which the Munsiff of Sagar ~~has~~ attached and received the Potgi due to the Patel of Vattaké in the Sagar Taluk, on the ground that it did not fall under the exceptions of Section 266 of the Civil Pro: Code, although under para 3 of the Chief Commissioner's General Circular no. 5 of 22d Octr 1872, and clause (d), para 5 of Rule 43 of the Land Rev: Rules, the emoluments attached to village offices are not liable to attachment or other processes in satisfaction of Judicial decrees.

(2) Docket No 618 dated 10th March 1898 from the Supdt of Revenue Survey in Mysore submitting a copy of the

Submitted.

Orders solicited as to what steps should be taken in the present case in which the Pōtgi has been attached and received by the Sagar Munsiff's Court.

It is not usual to place such Rules & modifications of Rules before Council. Nor do I think they strictly come under "measures of Legislation".

Circulate however for Council meeting as the [illegible] has expressed the opinion that this draft should be placed before the Council, the Rev. Dn has evidently under the impression that it need come before Council simply said "Seen" & the Dewan has only initialled the draft

3-1-00

Sub to Dewan 2 Dn

4/1/99

Seen

Rd 8/1/99.

LR 56-96

:: ments (as found by Rules I

[...]ing of the Bombay Govt
to the effect that the official
remuneration of the officiating
hereditary officer is not
liable to Civil Process.

(3) Letters No 210 and 380 of
21st September and 6th December 1898 respectively
from the same officer, suggesting, as desired in this
office letter no. 10601/R 7 244-92 of
4th May 1898, modifications
and alterations in the Patel
Rules of 27th October 1874,
providing also for the ~~official~~ cash
remuneration of a village
officer being exempted from
attachment ~~or other process~~
in satisfaction of judicial
decrees.

(4) Letter No 2881/206-1900 dated
18th June 1900 from the
1st Assistant to the Resident
in Mysore –

Order thereon: –

~~The~~ Government of Mysore approve
of ~~all~~ the modifications
proposed by the Superintendent of Revenue
Survey, and accordingly

With the Sanction of
the Govt of India conveyed in letter no. 2881/206-1900
18.6.1900 from the 1st Ass
to the Resident in Mys
the

24

Draft as per orders

18

To

The Dy. Commr.
Shimoga District.

Dated. 22/24-9-96.

No 3257/R. 1137

Dy Commr's No 173/148 of 11th August 1896 requesting early orders on his letter No 66/62 of 22-4-1891 in re attachment by the Sagar Munsiff's Court of the Sotgi due to Padmaiya, Pattel of Vattake, Sagar Taluk.

Referring to the above, has the honor to request to be furnished with ~~a~~ copies ~~a copy~~ of his letter above referred to ~~with the~~ and of spare connected papers, ~~if any~~, as the originals are not readily traceable in this office.

By order

22/9/96

Secretary

22/9/96

No 66/62 Gen'l file. (1)

Shimoga District
Deputy Commr's Office
Shimoga 2d. April 1891

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

With reference to the enclosed Canarese Stilla No 1036 of the 24th Ultimo from the Amildar of Sagar and its enclosures, I have the honor to state that from para 3 of the Chief Commissioner's General Circular letter No 5 dated the 22d. October 1872 also from section 43, para 5, clause 2, of the Mysore Land Revenue Rules, it will be observed that Potagees (Potee) due to village servants are not liable to attachments or other processes in satisfaction of Judicial decrees

2. Notwithstanding this the Munsiff of Sagar attached and received the Potagee due to one Padmiah

68

"quit-rent fixed under these
"rules on the holding of
"each Share-holder is
"fixed for the term of
"Settlement, but the total
"emoluments of the offici-
"-ators will be revised once
"after ten years, if necessary, and will
"be modified according to
"the same scale in propor-
"-tion to the revenues of the
"village as then realized".

Govt Pro No. -D/ 21-1-1881 873 of Serial

(4) Substitute the following
for Rules XVI and XVII:—
"The assessment of the
occupied Government land
(plus 10 per cent of the assess-
-ment of the unoccupied
"assessed waste Government
"land but not thereby exceed-
-ing the gross assessment
"of the Government land of
"the village) in the year in
"which the Settlement of
"remuneration of village
"officers is made, will be
"taken for the calculation
"of the remuneration of
officiators".

...ing of the Bombay Govt.

(5) Insert the word "net" between "the" and "profits" in the 3rd line, and ~~and~~ omit the words "the profits &c . . . . valuation" after the word "land" in the same line of Rule XXIII.

The rule thus modified will read as follows:—

"XXIII. If the emoluments "derived from land alone "are more than sufficient "to provide the salary of "the officiator, the surplus "shall be taxed by the "imposition of additional "jodi equal to one half "the net profits on the "above land".

(6). Insert the word "total" between "the" and "jodi", & omit the word "tax" and insert the word "now" after "jodi" in the 7th line of Rule XXVII.

The rule as above modified will read as follows:—

"XXVII. Nothing contained

Patel of Vattake, Sagar Taluk, on the ground that it did not fall under the exceptions of Section 266 of the Civil Procedure Code.

3. On the report of the Amildar I had suggested that the Patel, the defendant in the civil suit, might himself apply for an order of Revision but as the Amildar has chosen to report on the matter treating it as a general one, I beg to submit it for the orders of Government.

I have &ca.

Sd/ Abdul Rahiman
Deputy Commissioner
Shimoga District

Copy

[illegible]

For Dy. Commissioner
Shimoga District

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

63 / 27-10-90 [illegible] 1891 [illegible]

[illegible] 2242 [illegible]

[illegible] 2542 [illegible]

[illegible] 58 [illegible]

99-15-7 [illegible] 0-1-0 [illegible] 99-14-7

[illegible]

[illegible]

[illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
11	2-4-91	348	253	[illegible]

[illegible] 99-14- [illegible]

[illegible]

[illegible]

Proceedings of the Government of Mysore,

READ—

(1) Letter No. 66—62, dated 22nd April 1891, from the Deputy Commissioner, Shimoga district, submitting for orders a case in which the Munsiff of Sagar attached and received the potgi due to the patel of Vattake in the Sagar taluk, on the ground that it did not fall under the exceptions of Section 266 of the Civil Procedure Code, although, under para 3 of the Chief Commissioner's General Circular No. 5 of 22nd October 1873, and clause (*d*), para 5 of Rule 43 of the Land Revenue Rules, the emoluments attached to village officers are not liable to attachment or other processes in satisfaction of Judicial decrees.

(2) Docket No. 618, dated 10th March 1898, from the Superintendent of Revenue Survey in Mysore, submitting a copy of the ruling of the Bombay Government to the effect that the official remuneration of the officiating hereditary officer is not liable to Civil process.

(3) Letters Nos. 210 and 380, dated 21st September and 6th December 1898, respectively, from the same Officer, suggesting, as desired in this office letter No. 10601—R. F. 244-92, dated 4th May 1898, certain modifications and alterations in the Potgi Rules of 27th October 1874, including a provision exempting the cash remuneration of village officer from attachment in satisfaction of Judicial decrees.

(4) Letter No. 2881—206-1900, dated 18th June 1900, from the First Assistant to the Resident in Mysore.

No. 2053-61—R. F. 68-94, DATED BANGALORE, 31ST AUGUST 1900.

ORDER THEREON—With the sanction of the Government of India, conveyed in letter No. 2881—206-1900, dated 18th June 1900, from the First Assistant to the Resident in Mysore, the Government of Mysore approve of the modifications proposed by the Superintendent of Revenue Survey, and accordingly direct that the following Notification be published in the *Gazette*.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Superintendent of Revenue Survey in Mysore.
The Deputy Commissioners of Districts.

NOTIFICATION.

No. 2062—R. F. 68-94, DATED BANGALORE, 31ST AUGUST 1900.

With the approval of the Government of India conveyed through the Resident in Mysore, the Government of Mysore are pleased to direct that the following alterations and modifications be made in the Rules for the Remuneration of Patels and Shanbhogs, issued under Notification No. 219, dated 27th October 1874:—

(1) Insert the following as foot-note to the Table of Salary in Rule VIII:—

"The stationery allowance in para 14 shall, when there are more villages "than one, be calculated village by village and not on the gross revenue of the "charge."

(2) Substitute the following for Rules X and XI:—

"When the total emoluments (as found by Rules I and II) exceed the scale "amount (as found by Rules V and VI), such excess up to a limit of Rs. 2 and, "if over Rs. 20, at 2 per cent, will be assigned to the officiator as a personal "allowance in villages having a gross revenue of less than Rs. 500; up to a limit "of Rs. 5 and if over Rs. 50 at 5 per cent in villages having a gross revenue "of Rs. 500 but less than Rs. 1,000; and up to a limit of Rs. 10 or, if over "Rs. 100, up to 10 per cent, in villages having a gross revenue of Rs. 1,000 "or more."

(3) Add the words "under these Rules" after the word "fixed" in the first line, and the words "if necessary" after the words "ten years" in the 3rd line of Rule XV.

The rule thus modified will read as follows :—

"XV. The amount of quit-rent fixed under these rules on the holding of "each share-holder is fixed for the term of settlement, but the total emoluments "of the officiators will be revised once after ten years, if necessary, and will be "modified according to the same scale in proportion to the revenues of the village "as then realized."

(4) Substitute the following for Rules XVI and XVII :—

"The assessment of the occupied Government land (plus 10 per cent of the "assessment of the unoccupied assessed waste Government land but not thereby "exceeding the gross assessment of the Government land of the village) in the year "in which the settlement of remuneration of village officers is made, will be taken "for the calculation of the remuneration of officiators."

(5) Insert the word "net" between "the" and "profits" in the 3rd line, and omit the words "the profits • • • valuations" after the word "land" in the same line of Rule XXIII.

The rule thus modified will read as follows :—

"XXIII. If the emoluments derived from land alone are more than suffici- "ent to provide the salary of the officiator, the surplus shall be taxed by the "imposition of additional *Jodi* equal to one-half the net profits on the above "land."

(6) Insert the word "total" between "the" and "Jodi", and omit the word "tax" and insert the word "now" after "Jodi" in the 7th line of Rule XXVII.

The rule as above modified will read as follows :—

"XXVII. Nothing contained in any of the preceding Rules shall be consi- "dered as debarring any village hereditary officer from relinquishing his official "land when so disposed; and every such officer shall, at any time, whether at or "subsequent to the introduction of the settlement prescribed in these Rules, be "permitted to relinquish by written *Razinama* any entire field or fields into which "official land may have been marked off by the Survey, and on so doing the re- "linquished field is immediately to be entered in the accounts as Government "land, and the total jodi now payable by the hereditary officer is to be reduced "by the full amount of the Survey assessment of the relinquished fields."

(7) Substitute the following for Rule XXXVI :—

"Property, movable or immovable, assigned as remuneration of an offici- ator under these Rules, shall not be alienated or assigned to any person whatever "without the sanction of Government nor shall it be liable to process of any Civil "Court."

Note.—The word "property" includes both Service lands and Cash remu- neration.

By Order,

C. SREENI[illegible] [illegible]IENGAR,

Secy. to Govt., Gen. & Rev. Depts.

EXD.—H. A. R.

(5)

Proceedings of the Government of Mysore Read:-

21

Letter No. 56 dated 13th Decemr 1894 from the Deputy Commissioner Chitaldroog District, offering his suggestions regarding the proposed revision of the Potgi Rules with the reference to the Dewan's Memorandum dated 4th July 1894.

Order thereon No. 2812 / LF 68-94-95

Dated Bangalore, 11/14, September, 95

Ordered that an extract from para 7 of the letter read above containing the remarks of Deputy Commissioner about the modification of Rule X and cancellation of Rule XI of the Potgi Rules, be forwarded to the Superintendent Revenue Survey in Mysore with a request that he will state ~~how he~~ has worked the Rules in practice and what he has to suggest as regards the change

Revenue, dated 1900.

"XV. The amount of quit-rent fixed under these rules on the holding of "each share-holder is fixed for the term of settlement, but the total emoluments "of the officiators will be revised once after ten years, if necessary, and will be "modified according to the same scale in proportion to the revenues of the village "as then realized."

(4) Substitute the following for Rules XVI and XVII :—

"The assessment of the occupied Government land (plus 10 per cent of the "assessment of the unoccupied assessed waste Government land but not thereby "exceeding the gross assessment of the Government land of the village) in the year "in which the settlement of remuneration of village officers is made, will be taken "for the calculation of the remuneration of officiators."

(5) Insert the word "net" between "the" and "profits" in the 3rd line, and omit the words "the profits . . . valuation" after the word "land" in the same line of Rule XXIII.

The rule thus modified will read as follows :—

"XXIII. If the emoluments derived from land alone are more than suffici-"ent to provide the salary of the officiator, the surplus shall be taxed by the "imposition of additional *Jodi* equal to one-half the net profits on the above "land."

(6) Insert the word "total" between "the" and "Jodi", and omit the "tax" word, and insert the word "now" after "Jodi" in the 7th line of Rule XXVII.

The rule as above modified will read as follows :—

"XXVII. Nothing contained in any of the preceding Rules shall be consi-"dered as debarring any village hereditary officer from relinquishing his official "land when so disposed ; and every such officer shall, at any time, whether at or "subsequent to the introduction of the settlement prescribed in these Rules, be "permitted to relinquish by written *Razinama* any entire field or fields into which "official land may have been marked off by the Survey, and on so doing the re-"linquished field is immediately to be entered in the accounts as Government "land, and the total jodi now payable by the hereditary officer is to be reduced "by the full amount of the Survey assessment of the relinquished fields."

(7) Substitute the following for Rule XXXVI :—

"Property, moveable or immoveable, assigned as remuneration of an offici-ator under these Rules, shall not be alienated or assigned to any person whatever "without the sanction of Government nor shall it be liable to process of any Civil "Court."

Note.—The word "property" includes both Service lands and Cash remu-neration.

Notification -
To the Compiler
Mysore Gazette -

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Superintendent of Revenue Survey in Mysore.
The Deputy Commissioners of Districts.

Exd.—H. A. R.

proposed by the Deputy Commissioner.

Sd. C. S.

for Secretary.

The Superintendent of
Rev. Survey in Mysore.

Copy

H. Stuart
Supt. Rev. Survey. Mysore.

acquainted with the principles and intention of the Pakka Patti scheme would ever give effect to a Rule so palpably incorrect. The fact is that directly the Pakka Patti Rules were published in 1874 and before I took any Taluk in hand, I noticed the mistake in Rule X and, with the concurrence of the Survey Commissioner, adopted the following working Rule which it will at once be seen is an adaptation of Rules X and XI.

X When the total emoluments (as found by Rules I and II) exceed the scale amount (as found by Rule V or VI) such excess up to a limit of Rs 2 and, if over Rs 20, at 2 per cent, will be assigned to the officiator as

as a permanent allowance in villages having a gross revenue of less than Rs 500; up to a limit of Rs 5, and, if over Rs 50, at 5 per cent, in villages having a gross revenue of Rs 500 but less than Rs 1000; and up to a limit of Rs 10, or, if over Rs 100, at 10 per cent, in villages having a gross revenue of Rs 1000 or more.

The above working Rule meets all the objections of the Deputy Commissioner so far as Rule X is concerned and removes the supposed conflicting element between Rule I and II.

3. I am quite aware that the change in the working of Rules I and II and the palpable error in the former (for of course I believe that the words "less than Rs 500" in the third line were

intended

than even these Inams (see Rule VIII F of the Inam Rules) held for service no longer required). It is only on the above supposition of the Deputy Commissioner's meaning that I can at all understand his saying "one half of it (the surplus) is also deducted as Jodi from the Survey assessment of the official land". But in another place he says he would cancel Rule XXIII, which can only mean that the whole of the surplus would be left untouched and consequently the expense to the Treasury would be greater than at present. I do not think that the Deputy Commissioner has clearly understood Rule XXII. Allusion occurs in the Deputy Commissioner's letter to a certain Proviso proposed to Rule IX but there is nothing about this Proviso in

in the correspondence accompanying the Government Order now under reply and I do not know what the proposed Proviso was.

7. I trust I have made it clear that although undoubtedly the sanction of Government should have been obtained to the alteration of the working of Rules I and II, the actual working in my Office of those two Rules has been on the most equitable lines and none of the anomalies and objections very naturally urged by the Deputy Commissioner in regard to those Rules, have any existence. If the Rules be amended as suggested at Para 2 above, to coincide with the present practice, no difficulty of any kind will remain.

Draft as per orders.

189

28 (20)

(2)

From

The Secretary to the Government of Mysore, Gen. & Rev. Depts.

To

The Superintendent of Rev Survey

LRGB-94

20

Dated 13th Decr 1897.

Despatched 22.

Received

General No. 5621.

R.F. No. 244-92.

Enclosure No.

D 17

Has the honor to request ~~him to be good enough~~ the Supdt. Rev. Survey will be so good as to furnish Govt with a copy of the Rules or orders in force in Bombay regarding the attachment of salary or cash remuneration of village officers in satisfaction of Civil Court decrees.

"By order"

[illegible]

[illegible] 20/12/97

for Secretary.

[illegible] 18/12/97

[illegible] 18/12/97

5636
R 3398

Gen. Serial No. 20.]

1898. (23)

From

The Supt. [illegible] Rev. Survey.

LR 56-94

To

(29)

The ~~Chief Secretary~~ to the ~~Govt~~ Dewan of Mysore.
Genl. Rev. Departm.

Dated 3rd February 1898

Despatched

Received

Enclosures No. 20

General No. 509
No. 1

In reply to Docket No. 2562 of 13th December / 97 R 244-92
No. 7063 of 25th Jan: / 98 244-92

SUBJECT.

Intimating that there are no Rules or Orders [illegible] under which the cash remuneration of Patels and Shanbogs is exempted from attachment.

References—(to be entered only in the Dewan's Office).

Rev. 7.2.98
Secretary
Submitted for orders with reference to the [illegible] Commissioner's order on the office note below?

Ref. [illegible]
9/2

10/2/98

10/2/98

No 509

(5)

Survey Superintendent's Office
Bangalore 3rd February
1898

To

The Secretary to the Government
of Mysore Gl. & Revenue
Departts

Sir,

I have the honor to state, in reply to your Docket No. 7366 / 244-92 dated 28th January 1898, that the information given in my letter No. 625 of the 4th idem, to the effect that the cash remuneration of Patels and Shanbogs in Bombay is not liable to attachment turns out, on further enquiry, to be erroneous. I do not imagine that any Rules on the subject will be found in Bombay but if so desired I will address the Collector of

Draft as per ord.

(6)

LRB/94

Z. (23)

The Supdt of Revenue Survey in Mysore

Dated 25/2/95
Despatched
No. 7947 — 22
RF 244-92

His letter No. 509 dated 3rd February 1895, stating that the information furnished by him to the effect that the cash remuneration of Patels and Shanbhogs in Bombay is not liable to attachment, has been found on further enquiry to be erroneous, and that if so desired, he will address the Collector of Dharwar on the subject.

Adverting to

above, has the honor
to request the Supt. of
Revenue Survey to be so
good as to obtain & furnish ac-
-curate information
on the subject. ~~from~~
~~the Collector of Dharwar~~
~~and furnish the same~~
~~to Government.~~

By order

21
[illegible] 12 68

Jr. Secretary

[illegible]
23/12/68

12. 3. 98

15/3

Refer Hutbys

16/3 Please put up the Bombay Act ... also the Rulings ...

16/3/98

Copies ... of the Bombay Act ...

21/3/98

21/3/98

LRA-94

REVENUE ... DEWAN'S OFFICE 1898

6603 / R 3975

Gen. 31.]

From
The Supdt. of Revenue Survey

To
The Secretary to the Govt. of Mysore, Genl. Department

Dated / Despatched: 15th March 1898

Received

General No. 618

No.

Enclosure No. 1

Secretary's Docket No. 9949 dated 23rd ... ...

With reference to the above has the honour to forward for the information of Government the accompanying copy of Memo No. 1723 of the 5th March 1898 from the Collector of Belgaum regarding

regarding the attachment of salary or cash remuneration of village officers in satisfaction of Civil Court decrees.

Sd/- [illegible]
Supt. Ellygue Rev. Survey

Draft approved 125

(8)

(26)

To

The Superintendent
Mysore Revenue Survey.

LRB 94

Dated 4/5/98

No 10601
R.7.244-92 25

Correspondence ending with docket no. 6.8 3, 10th March 1898 from the Supdt. of Rev. Survey, submitting further information as to the Rules in force in Bombay regarding the non-liability to attachment by Civil Courts of the Totgi or cash remuneration payable to village officers.

Adverting to the above, has the honor to invite the attention of the Rev: Survey Supdt. to his letters nos 5868, 6th Nov. 1894 and 2013 of 23rd Sept. 1897 expressing his opinion regarding the revision of some of the Pete Rules of 1874, and to request that with reference

+ P. no. ... in file ... in the same file - Pending orders.

reference thereto, ~~the Survey Supdt~~ he will be so good as to suggest modifications of the Potgi Rules on the basis of the exemption contained in the Bombay Patandari Act so that all these provisions may be adopted by the ~~Madras~~ Mysore Govt.

& to the information given in the [illegible] [illegible] acknowledgement,

"By Order"

3/5/98

Secretary.

HB 2/5/98

[illegible] 2/5/98

they now stand. Still as observed by the Dewan at Para 5 of his Memorandum dated 4th July 1894, these Rules, which have the force of law, should be carefully revised with reference to proper definition of terms used.

2. I have accordingly carefully re-read the Rules as they now stand and propose the following alterations and modifications.

27

Rule VIII. To the table of salary add the following foot note, "The Stationary allowance in "Para 14, shall, when there are more villages than one, be "calculated village by village

and

"and not on the gross -
"revenue of the charge."

Rules X and XI should be - cancelled and the following substituted.

" When the total emolu-
"-ments (as found by -
" Rules I and II) exceed
" the scale amount (as
" found by Rules V & VI),
" such excess up to a -
" limit of Rs 2, and, if
" over Rs. 20, at 2 per cent,
" will be assigned to the
" Officiator as a personal
" allowance in villages,
" having a gross revenue
" of less than Rs 500; up
" to a limit of Rs 5 and,
if

these Rules do not, in my opinion, require.

I have the honor to be
Sir,
your most obedient servant
[signature]
Supt. Mysore Rev: Survey

REVENUE DEPARTMENT
Gl. No. 360
DEC.7 1898
R. No. 2028
DEWAN'S OFFICE

GOVERNMENT [Gen. 30.]

11

1898

80 (29)

From The Supt Mysore Rev Survey.

LR 06-24

To

The Chief Secretary to the Govt. of Mysore.

Gen & Rev Depts

33

Dated } 6th December 1898
Despatched }

Received

Enclosure No.

General No. 380
No.

In reply to No 3626 / R 7. 244-92 | of 29th Nov /98

SUBJECT

Reporting on the subject of suggesting an addition to Potgi Rule XXXVI.

References (to be entered only in the Dewan's Office).

Note contd. ... 28. 13/12/98

Recd. 12/12

No 380

Survey Superintendent's Office
Bangalore 6th December
1898.

To

The Secretary to the
Government of Mysore
Gen and Rev Depts.

Sir,

I have the honor to acknowledge the receipt of your letter Gl. No $\frac{3626}{R.F. 244\cdot92}$ dated 29th November 1898 on the subject of suggesting an addition to Pol. Rule XXXVI, sufficient to make it clear that the cash remuneration payable to village Officers are not liable to the process of any Civil Court

2

2 I would have made the necessary suggestion in my letter No 210 of the 21st September 1893 only that I regarded Potgi Rule XXXVI as enjoining the strict enforcement of the whole of Notification of 9th September 1835 and not only of that portion of it which refers to Service Inam lands.

34

3 I think the whole of Potgi Rule XXXVI as it now stands might be cancelled and the following substituted.

XXXVI Property, moveable or immoveable, assigned as remuneration of an Officiator under these Rules shall not be alienated or assigned to any person whatever without the

the sanction of Government nor shall it be liable to process of any Civil Court.

4. I think the above Rule provides for all that is necessary as the word 'property', as defined, includes both service lands and cash remuneration.

I have the honor to be
Sir,
your most obedient servant
[signature]
Supdt. Mysore Rev. Survey

...designation of
...covering the rules
...agreed upon
...a[n] both after
...consulting them
...[offi]cers & the
...olb officers of New
...Treaty of New
...Survey in New York
...one of opinion

36

...ame
...is enough
...same [fur]nished
...[expl]anation is
...[e]xplanation Received
...not necessary
...All the 80 — ll
7/14 100/
Issue drawn
[illegible]

(13)

No 2881/206-1900.

FROM

THE FIRST ASSISTANT TO THE RESIDENT

IN MYSORE.

To

The Dewan of Mysore

37

Dated Bangalore, 18th June 1900.

SIR,

I am directed to communicate the Sanction of the Government of India to a draft of certain alterations and modifications in the Rules for the remuneration of Patels and Shanbogues in Mysore forwarded with your office letter No. 7245/R.F. 68/94. dated the 9th April 1900, provided that the Governor General in Council retain over them the power and authority which vests in the Governor General in Council by virtue of Article 19 of the Instrument of Rendition

Vide Serial No 31 of Rev file No 244/92.

dated

Dated the 1st March 1881.

I have the honor to be,

Sir,

Your most obedient Servant,

Dobbs

1st Assistant Resident.

H.

direct that the following Notification be published in the Gazette:—

Notification

With the approval of the Govt of India conveyed thro' the Resident in Mysore,

The Government of Mysore are pleased to direct that the following alterations and modifications be made in the Rules for the remuneration of Patels and Shanbogues, issued under Notfn. No 219 dated 27th October 1874.

(1). Insert the following as foot-note to the table of Salary in Rule VIII:—

"The Stationery allowance "in para 14 shall, when "there are more villages "than one, be calculated "village by village and "not on the gross revenue "of the charge"

(2) Substitute the following for Rules X and XI:—

"When the total emoluments (as found by Rules I

"and II) exceed the Scale
"amount (as found by
"Rules V and VI), such
"excess up to a limit of Rs. 2,
"and, if over Rs. 20, at 2 per
"cent, will be assigned to
"the officiator as a personal
"allowance in villages having
"a gross revenue of less than
"Rs. 500; up to a limit of Rs. 5
"and if over Rs. 50 at 5 per
"cent in villages having
"a gross revenue of Rs. 500
"but less than Rs. 1000; and
"up to a limit of Rs. 10 or,
"if over Rs. 100, up to 10 per
"cent, in villages having a
"gross revenue of Rs. 1000 or
"more".

(3) Add the words "under
"these Rules" after the word
"fixed" in the first line,
and the words "if necessary"
after the words "ten years"
in the 3rd line of Rule XV.
The Rule thus modified
will read as follows:—
"XV. The amount of

"in any of the preceding rules
"shall be considered as
"debarring any village
"hereditary officer from
"relinquishing his official
"land when so disposed; and
"every such officer shall,
"at any time, whether at
"or subsequent to the in-
-troduction of the Settle-
"-ment prescribed in these
"rules, be permitted to re-
"-linquish by written Razi-
"-nama any entire field
"or fields into which official
"land may have been
"marked off by the Survey,
"and on so doing the relin-
"-quished field is immediately
"to be entered in the accounts
"as Govt. land, and the total
"Jodi now payable by the
"hereditary officer is to be
"reduced by the full amount
"of the Survey assessment
"of the relinquished fields".

7) Substitute the following for Rule XXXVI :—

"Property, moveable or immoveable, assigned as

"remuneration of an offici-
"ator under these rules,
"shall not be alienated
"or assigned to any person
"whatever without the
"sanction of Government
"nor shall it be liable to
"process of any Civil Court"

Note. The word "property" includes both Service lands and Cash remune-ration.

Print

1/2/1900

5/1/99 Secretary

To.

The Supdt. of Revenue Survey in Mysore
" Dy Commrs of Dists.

Note:
The Compiler, Mysore Gazette, with a copy of the Notfn: only —

Received for Press Copy at 2. P.M. 20/8/00
& given with Press Copy at 4 P.M. 20/8/00

31

LRB-94

1900-1901

GOVERNMENT OF MYSORE

REVENUE

PROCEEDINGS

Dated 31st August 1900

No. $\frac{2053\text{-}61}{\text{R. F. 68-94}}$

Approving of certain modifications and alterations in the Potgi Rules of 1874.

SBP—4-9-1900—200

Proceedings of the Government of Mysore,

READ—

(1) Letter No 66—62, dated 22nd April 1891, from the Deputy Commissioner, Shimoga district, submitting for orders a case in which the Munsiff of Sagar attached and received the potgi due to the patel of Vattake in the Sagar taluk, on the ground that it did not fall under the exceptions of Section 266 of the Civil Procedure Code, although, under para 3 of the Chief Commissioner's General Circular No. 5 of 22nd October 1872, and clause (d), para 5 of Rule 43 of the Land Revenue Rules, the emoluments attached to village officers are not liable to attachment or other processes in satisfaction of Judicial decrees.

(2) Docket No. 618, dated 10th March 1898, from the Superintendent of Revenue Survey in Mysore, submitting a Copy of the ruling of the Bombay Government to the effect that the official remuneration of the officiating hereditary officer is not liable to Civil process.

(3) Letters Nos. 210 and 380, dated 21st September and 6th December 1898, respectively, from the same Officer, suggesting as desired in this office letter No. 10601—R. F. 244-92, dated 4th May 1898, certain modifications and alterations in the Potgi Rules of 27th October 1874, including a provision exempting the cash remuneration of village officer from attachment in satisfaction of Judicial decrees.

(4) Letter No. 2881—206-1900, dated 18th June 1900, from the First Assistant to the Resident in Mysore.

No. 2053-61 — R. 677 R.7 68-94.5 ~~DATED BANGALORE~~, 31st August ~~August~~ 1900.

ORDER THEREON.—With the sanction of the Government of India, conveyed in letter No. 2881—206-1900, dated 18th June 1900, from the First Assistant to the Resident in Mysore, the Government of Mysore approve of the modifications proposed by the Superintendent of Revenue Survey, and accordingly direct that the following Notification be published in the *Gazette*.

Notification. No. 2062 — R. 677 R.7 68-94.5 31/8/00

With the approval of the Government of India conveyed through the Resident in Mysore, the Government of Mysore are pleased to direct that the following alterations and modifications be made in the Rules for the Remuneration of Patels and Shanbhogs, issued under Notification No. 219, dated 27th October 1874:—

(1) Insert the following as foot-note to the Table of Salary in Rule VIII :—

"The stationery allowance in para 14 shall, when there are more villages "than one, be calculated village by village and not on the gross revenue of the "charge."

(2) Substitute the following for Rules X and XI :—

"When the total emoluments (as found by Rules I and II) exceed the scale "amount (as found by Rules V and VI), such excess up to a limit of Rs. 2 and, "if over Rs. 20, at 2 per cent, will be assigned to the officiator as a personal "allowance in villages having a gross revenue of less than Rs. 500; up to a limit "of Rs. 5 and if over Rs. 50 at 5 per cent in villages having a gross revenue "of Rs. 500 but less than Rs. 1,000; and up to a limit of Rs. 10 or, if over "Rs. 100, up to 10 per cent, in villages having a gross revenue of Rs. 1,000 "or more."

(3) Add the words "under ~~the~~ these Rules", after the word "fixed" in the first line, and the words "if necessary" after the words "ten years" in the 3rd line of Rule XV.

The rule thus modified will read as follows :—